

ORDINANCE NO. 12-33

AN ORDINANCE OF THE CITY OF KEY WEST AMENDING THE LAND DEVELOPMENT REGULATIONS, AND THE OFFICIAL ZONING MAP FOR PROPERTY KNOWN AS THE PEARY COURT HOUSING COMPLEX (RE# 00006730-000000, Alternate Key# 1006963) AMENDING THE OFFICIAL ZONING MAP LEGEND; AMENDING CHAPTER 122, ARTICLE IV, TO CREATE A NEW HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT (HSMR), PROVIDING FOR PERMITTED USES, CONDITIONAL USES, PROHIBITED USES AND DIMENSIONAL REQUIREMENTS; PROVIDING FOR A RESIDENTIAL DENSITY OF 8.6 UNITS PER ACRE; AMENDING CHAPTER 122, ARTICLE V, PROVIDING AMENDMENTS TO THE TABLES OF USES AND DIMENSIONAL REQUIREMENTS FOR HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT (HSMR); PROVIDING FOR CONCURRENT AND CONDITIONAL ADOPTION UPON APPROVAL OF COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 90-517 of the Code of Ordinances allows the City Commission to amend the text of the Land Development Regulations and the boundaries of the Official Zoning Map in accordance with Sections 90-486 through 90-524: and

WHEREAS, on November 15, 2011 the City Commission initiated a zoning in progress ordinance to contend with the forecasted sale of the US Navy property known as Peary Court Housing to a non-governmental entity, thus making said property and its existing 160 units subject to local zoning control; and

WHEREAS, at the request of Southeast Housing, LLC and the US Navy, owners of the Peary Court property and the existing residential units on the property, the City Planning staff created a proposed Historic Special Medium Density Residential Future Land Use Map (FLUM) designation, and accompanying Land Use policies which on May 29, 2012, the City Commission adopted on first reading as applicable to the Peary Court property, and transmitted the proposed FLUM designation and policy to the Florida Department of Economic Opportunity (DEO) for review, analysis and comment; and

WHEREAS, on May 14, 2012 DEO in response to a request from City staff for clarification of whether the City Comprehensive Plan Policy 3-1.1.3 requiring 30% of units new to the City's BPAS system be affordable applies to the existing units at Peary Court, concluded that it did not; and

WHEREAS, on June 18, 2012, City Planning and Legal staff responded to the May 14th DEO letter, contesting that Policy 3-1.1.3 did apply to the existing and any redeveloped units at Peary Court; and

WHEREAS, in response to the City's June 18, 2012 letter, DEO on July 25, 2012 reaffirmed its opinion that Policy 3-1.1.3 did not apply, but stated rather than allowing the issue to be decided by costly litigation between the City, Southeast Housing, LLC, the property's prospective buyer, White Street Partners, and possibly DEO and the US Navy, instead requested the City accept 48 BPAS unit allocations provided by the state for affordable housing to be used at Peary Court; and

WHEREAS, on August 3, 2012, DEO issued its Objections, Recommendations and Comments Report (ORC) on the HSMDR FLUM, which in part, determined that the 48 BPAS units offered in its July 25, 2012, letter met the 30% affordable housing requirements of City Comprehensive Plan Policy 3-1.1.3 for Peary Court; and

WHEREAS, the City must contemplate that additional military properties may be released from US Navy ownership to private ownership, for which the HSMDR zoning designation may be appropriate; and

WHEREAS, the Peary Court Housing Complex is the first of such possible surplus properties for which HSMDR zoning may be appropriate, and each property so considered has unique characteristics; and

WHEREAS, pursuant to Section 90-522, the Planning Board held a noticed public hearing on July 19, 2012 to consider a new zoning designation and regulations for the Peary Court Housing Complex; where based on the consideration of recommendations of the City Planner, City Attorney, Building Official, and public testimony and input, and recommendation of the Planning Department, recommended approval of the proposed amendments; and

WHEREAS, based on the DEO Objections, Recommendations and Comments (ORC) Report to the Future Land Use Amendment for the HSMDR designation the Planning Department recommended postponement of the HSMDR zoning district amendment ordinance scheduled to be heard by the City Commission of August 7, 2012 in order to revise the ordinance to reflect the ORC Report comments, and the amendments were made; and

WHEREAS, the City Commission held a noticed public hearing on September 6, 2012 and a second public hearing on September 18, 2012 and in its deliberations considered the criteria identified in Section 90-521 of the Code of Ordinances together with the recommendations of City staff and comments of the public; and

WHEREAS, the City has considered all the comments and opinions from DEO with regard to the HSMDR FLUM, and its interpretation of the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, in response to the comments from the DEO regarding the unique circumstances of the Peary Court Housing Complex the City Commission determined that as a special exception only 30% of the existing units be required as affordable, instead of 30% of the aggregate total of units; and

WHEREAS, the City Commission determined that the proposed amendments are: consistent with the Comprehensive Plan; in conformance with all applicable requirements of the Code of Ordinances; are stimulated by changed conditions after the effective date of the existing regulation; will promote land use compatibility; will not result in additional demand on public facilities; will have no impact on the natural environment; will not negatively impact property values or the general welfare; will result in more orderly and compatible land use patterns; and are in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Chapter 122, Article IV, of the Code of Ordinances is hereby amended as follows:

SUBPART B - LAND DEVELOPMENT REGULATIONS

CHAPTER 122

ZONING

ARTICLE IV. DISTRICTS

DIVISION 1. GENERALLY

Sec. 122-92. - Future land use map designations and zoning districts.

The following table references adopted future land use map designations contained in the land use element of the city comprehensive plan and identifies corresponding zoning districts which are established in order to implement the future land use map designations, respectively:

FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS

Old Town Historic Preservation	

HSMR	Historic Special Medium Density Residential

Section 2: That Chapter 122, Article IV, Division 6 of the Code of Ordinances is hereby amended as follows:

[new] SUBDIVISION III. HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT

Sec. 122-611. - Intent.

- (a) The historic special medium density residential district (HSMDR) is established to implement comprehensive plan policies for areas designated "HSMDR" on the comprehensive plan future land use map. The HSMDR district shall accommodate historic special Old Town medium density residential development for permanent residents, including single-family, duplex, and multiple-family residential structures.

- (b) Accessory uses and structures, including approved home occupations conducted within the residential structure, and customary community facilities can be located in the HSMDR designated area. This district shall not accommodate transient residential lodging uses, including guest homes, motels or hotels, time-shares, transient apartment, vacation rental, and gated transient communities.

(c) Freestanding commercial offices, retail or other commercial or industrial uses of any kind shall not be permitted.

(d) The Historic Preservation Planner shall have the discretion to review redevelopment and new development impacts for mass, scale, size, proportion and screening to ensure compatibility with the existing commercial fabric.

(e) Any Development Plan Approval submitted for a property in the HSMDR zoning District shall be accompanied by a concurrent application for a Development Agreement.

Sec. 122-612. - Permitted uses.

Uses permitted in the historic medium density residential district (HSMDR) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Accessory uses and structures.
- (4) Approved home occupations.

Sec. 122-613. - Conditional uses.

Conditional uses in the historic medium density residential district (HSMDR) are as follows:

- (1) Community centers, clubs and lodges accessory to residential uses.
- (2) Cultural and civic activities.
- (3) Parks and recreation active and passive.
- (4) Public and private utilities.
- (5) Parking lots and facilities.
- (6) Educational institutions and day care facilities.

Sec. 122-614. - Prohibited uses.

In the historic special medium density residential district (HSMDR), all uses not specifically or provisionally provided for in this subdivision are prohibited.

Sec. 122-615. - Dimensional requirements.

The dimensional requirements in the historic special medium density residential district (HSMDR) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the Historic Architectural Review Commission Design Guidelines, for additions and alterations and new construction, dated and effective January 5, 2010 and administered by the Historic Preservation Planner, and/or the HARC Commission, who shall have the responsibility to review and

approve or deny all applications for improvements, redevelopment and new development.

(1) Maximum density: 8.6 dwelling units per acre (8.6 du/acre).

(2) Maximum floor area ratio for all development including residential: 1.0.

(3) Maximum height: 30 feet.

(4) Maximum lot coverage:

a. Maximum building coverage: 40 percent.

b. Maximum impervious surface ratio: 60 percent.

(5) Minimum lot size: 5,000 square feet.

a. Minimum lot width: 50 feet.

b. Minimum lot depth: 100 feet.

(6) Minimum setbacks:

a. Front: 10 feet.

b. Side: 5 feet.

c. Rear: 15 feet.

d. Street side: 7.5 feet.

Sec. 122-616. - Affordable housing requirements.

Affordable housing shall be required for all existing residential, redeveloped residential and new residential development at a ratio of 30% of the total units existent,

redeveloped and/or created on properties located within the HSMDR zoning district per Chapter 122, Article V, Division 10, Sections 122-1465 through 122-1472. Except that applications for rezoning of the property to HSMDR zoning received before September 6, 2012, shall have the 30% ratio adjusted such that the requirement shall be not less, but not more than 30% of the units existent on site at the time of application.

Section 3: That Chapter 122, Article V, Division 2, Uses, Section 122-1111 of the Code of Ordinances is hereby amended as follows:

ARTICLE V. SUPPLEMENTARY DISTRICT REGULATIONS
DIVISION 2. USES

Sec. 122-1111. - Table of land use by districts

TABLE OF LAND USE BY DISTRICT

	LDR- C	SF	MDR	MDR- C	HDR	CL	CG	CT	RO	PRD	HMDR	HSMDR	HHDR	HRCC-1	HRCC-2	HRCC-3	HPRD	HNC-1	HNC-2	HNC-3	HCT	HRO	HPS	HPS- 1	PS	C	A5
Residential Uses																											
Accessory residential units (reference section 122-171)		P																									
Single-family dwellings	P	P	P	P	P	P	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	
Duplexes/two-family dwellings		C1	P	P	P	P	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	
Multiple-family dwellings			P	P	P	P	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	
Foster homes/group homes with 5 to 6 residents2	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P					
Group homes with 7-14 residents			C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C					
Approved home occupations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P					
Accessory uses and structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4 C	
Community Facilities																										P	
Airport facilities																											
Cemeteries																							C		C		
Community centers, clubs and lodges						C	C	C	C	C		C		C	C	C	C	C	C		C	C	P		P		
Cultural and civic activities						P	P	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C		
Educational institutions and day care facilities		C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P		P		
Golf course facilities6										C															P		
Hospitals and extensive																							P		P		

Section 4 - That Chapter 122, Article V, Division 3, Area Requirements, Section 122-1157, Size and Dimension Regulations, of the Code of Ordinances is hereby amended follows:

DIVISION 3. AREA REQUIREMENTS

Sec. 122-1151. - Size and dimension.

Size and dimension regulations for zoning districts shall be as follows:

TABLE OF SIZE AND DIMENSION REGULATIONS

Minimum Setback Requirements										
District	Minimum Area (sq. ft.)	Minimum Width (sq. ft.)	Minimum Depth (sq. ft.)	Minimum Intervio us Surface Ratio	Maximum Building Coverag e	Front (fee t)	Street Side (fee t) ¹	Side (fee t)	Rear ² (fee t)	Maximum Height (feet)
										Maximum Floor Area Ratio
										Maximum Density (du/aor e)

HSMDR historic special medium density residential	5,000	50	100	60	40	10	7.5	5	15	30
										1.0 22
										8.6

22. Maximum Floor Area Ratio applies to all development and redevelopment including residential: 1.0.

Section 5: The official zoning map of the City of Key West is hereby amended as follows:

Remove the Military (M) zoning map description applied to the property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963), and substitute the new Historic Special Medium Density (HSMDR) zoning designation (Exhibit 1); and

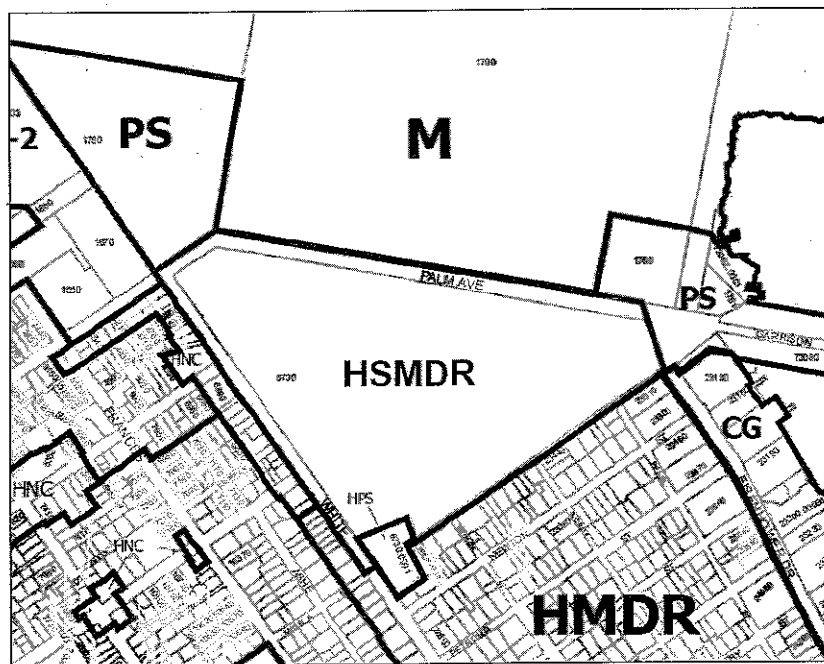


Exhibit 1

The Official Zoning Map Legend shall be amended to include the Historic Medium Density (HSMDR) Zoning designation (Exhibit 2); and

OFFICIAL ZONING MAP OF THE CITY OF KEY WEST, FLORIDA					
LEGEND			Zoning districts based on Future Land Use Map (FLUM).		
A Airport	HNDR Historic High Density Residential	MDR Medium Density Residential	Original map created by D. Collins Stewart with the City of Key West Planning Department dated 1993. 1996 Revisions provided by the City of Key West Planning Department. FLUM adopted as zoning map by ordinance 97-16, July 3, 1997. 2004 Revisions provided by the City of Key West Planning Department based on ordinances 99-16, 00-14, and 03-04. Base map provided by the Monroe County Property Appraiser. Parcel map updated on: June 28, 2004 Plot prepared on: December 14, 2004 <small>This property location map has been compiled for informational purposes only and is not a substitute for the official zoning map. The information and/or location depicted hereon should not be relied upon for title purposes. Neither the City of Key West nor the Office of the Property Appraiser assumes responsibility for any errors or omissions.</small>		
C-EN Comprehensive Employment Center	HNDR Historic High Density Residential	MDR Medium Density Residential			
C-OW Comprehensive Office Work Center	HNDR Historic High Density Residential	MDR Medium Density Residential			
C-TW Comprehensive Town Center	HNDR Historic High Density Residential	MDR Medium Density Residential			
C-UR Comprehensive Urban Residential	HNDR Historic High Density Residential	MDR Medium Density Residential			
CE Community Center	HNDR Historic High Density Residential	MDR Medium Density Residential			
CL Limited Commercial	HNDR Historic High Density Residential	MDR Medium Density Residential			
CM Community Medium Density Residential	HNDR Historic High Density Residential	MDR Medium Density Residential			
CT Medium Commercial Transit	HNDR Historic High Density Residential	MDR Medium Density Residential			
HL Historic Limited Commercial	HNDR Historic High Density Residential	MDR Medium Density Residential			
HCT Historic Commercial Transit	HNDR Historic High Density Residential	MDR Medium Density Residential			
MDR Medium Density Residential	HNDR Historic High Density Residential	MDR Medium Density Residential			

Exhibit 2

Section 6: Pursuant to Laws of Florida 2012-99, amending Florida Statute Section 163.3184(12), this Ordinance is adopted concurrently with and expressly contingent upon final approval and adoption of the City of Key West Comprehensive Plan Future Land Use Amendment for rezoning Peary Court approved for transmittal upon first reading by the City Commission on May 29, 2012 and submitted to the State of Florida Department of Economic Opportunity (DEO) on June 8, 2012.

Section 7: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 8: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 9: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission and approval by the State Department of Community Affairs pursuant to Chapter 380, Florida Statutes.

Read and passed on first reading at a regular meeting held
this 5 day of September, 2012.

Read and passed on final reading at a regular meeting held
this 18th day of September, 2012.

Authenticated by the presiding officer and Clerk of the
Commission on 19th day of September, 2012.

Filed with the Clerk September 19, 2012.


CRAIG CATES, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK

*(Coding: Added language is underlined; deleted language is struck through.)

EXECUTIVE SUMMARY



To: Bogdan Vitas Jr., City Manager

From: Nicole Malo, Planner II

Through: Donald Leland Craig, AICP, Planning Director

Date: September 18, 2012

RE: An Ordinance of the City of Key West amending the Land Development Regulations, and the Official Zoning Map for property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963) Amending the Official Zoning Map Legend; Amending Chapter 122, Article IV, to create a new Historic Special Medium Density Residential district (HSMDR), providing for permitted uses, conditional uses, prohibited uses and dimensional requirements; providing for a residential density of 8.6 units per acre; amending Chapter 122, Article V, providing amendments to the tables of uses and dimensional requirements for Historic Special Medium Density Residential district (HSMDR); providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

ACTION STATEMENT

Request: Request to consider amendments to the Land Development Regulations for the new Historic Special Medium Density Residential Zoning District including amendments to the zoning map and associated information to compliment the proposed Comprehensive Plan Future Land Use Amendment for the Peary Court Housing Complex, a former military housing site.

Location: Peary Court Housing Complex;
RE# 00006730-000000, Alternate Key# 1006963

Background

On September 6, 2012 the City Commission approved the first reading of the Historic Medium Density Residential (HSMDR) Zoning District, for the Peary court Housing Complex based on recommendations made by the Planning Board on July 19, 2012, that were amended based on comments subsequently received by the Department of Economic Opportunity (DEO) on July 25, 2012 and on August 3, 2012 through the Objections, Comments and Recommendations (ORC) report for the associated Future Land Use HSMDR designation amendment (see attached).

In its deliberations on September 6th, the City Commission made three significant changes to the proposed ordinance as follows:

1. **Density: 8.6 units per acre: Section 122-615(1);**
2. **Affordable housing exception: Section 122-616;**
3. **Requirement of a Development Agreement: Section 122-611;**

Density: 8.6 units per acre: The proposed density of 8.6 units per acre, allows a maximum of 208 units on the site (24.18 acres: Please note that this number is reflective of the most up to date survey made available to the City on September 5, 2012. See attached). The prescribed density is in response to the August 3, 2012 ORC report issued by the DEO that supports the allocation of 48 new affordable units to Peary Court in addition to the existing 160 units (see attached). The proposed maximum density is supported by the proposed EAR based amendments to the Comprehensive Plan and the 2012 Data and Analysis report that were recommended for approval by the Planning Board on August 30, 2012 and will be presented to the City Commission on October 2, 2012.

Affordable housing exception: The Peary Court Housing Complex is the first of such possible military surplus properties for which HSMDR zoning may be appropriate, and the property so considered has unique characteristics. Therefore, the proposed LDR's supported by the HSMDR FLUM amendment being processed at the same time as this ordinance provides an exception to the 30% affordability requirement of Comprehensive Plan Policy 3-1.1.3 for applications requesting rezoning of property to HSMDR received before September 6, 2012. The exception allows an adjustment such that the requirement shall be not less, but not more than 30% of the units existent on site at the time of application. While 30% of the total existing residential or redeveloped residential, and/or new residential density added to the City's BPAS system from former military sites, must be affordable and meet the requirements of the Affordable Workforce Housing Regulations.

This exception, as discussed with the City Commission on September 6, 2012, is due to the position of the DEO and the Peary Court property owner that the affordable housing requirement is limited to no less than, nor more than 30% of the 160 units presently on the property. Both identified litigation as a method to defend their positions. In consideration of that point the commission decided to allow the zoning to proceed with the lesser number. For future applications of the HSMDR FLUM to excessed military housing, 30% of the total aggregate of units new to the BPAS, inclusive of the affordable units shall be the standard. The standard methodology is spelled out in the associated HSMDR FLUM.

Section 122-616. – Affordable housing requirements.

Affordable housing shall be required for all existing residential, redeveloped residential and new residential development at a ratio of 30% of the total units existent, redeveloped and/or created on properties located within the HSMDR zoning district per Chapter 122, Article V, Division 10, Sections 122-1465 through 122-1472. Except that applications for

rezoning of property to HSMDR zoning received before September 6, 2012, shall have the 30% ratio adjusted such that the requirement shall be not less, but not more than 30% of the units existent on site at the time of application.

New language has been double underlined for reference.

Requirement of a Development Agreement:

The proposed requirement for a development agreement provides the City with additional controls for complex large long term redevelopment and development projects for properties such as Peary Court Housing Complex.

Section 122-611. - Intent.

(e) Any Development Plan Approval submitted for a property in the HSMDR zoning District shall be accompanied by a concurrent application for a Development Agreement.

New language has been double underlined for reference.

No other changes are proposed to the original Zoning ordinance approved by the City Commission on September 6, 2012.

Process

The proposed amendments are a result of the United States Navy, with its concessional housing partner, Southeast Housing, LLC, pursuing the sale of the property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963); and all of the structures on it, to a private entity. The property is located within a Military (M) Future Land Use designation and corresponding zoning district. Because the property is considered for sale to a non-military entity, the Future Land Use Element and Future Land Use Map (FLUM) of the City of Key West Comprehensive Plan must be amended, and the City's Land Development Regulations (LDR's) must be changed in order to include the new zoning district and update the City's Official Zoning Map.

Both the FLUM amendment and the Zoning Ordinance for the HSMDR are on a parallel approval track to be adopted on September 18, 2012 pursuant to the recently enacted Laws of Florida 2012-99, amending Florida Statute Section 163.3184(12) to allow municipalities to process Future Land Use Amendments and amendments to the Land Development Regulations concurrently. The rule requires that the LDR amendment is contingent upon the approval and adoption of the Future Land Use Amendment.

In order to amend the Comprehensive Plan and LDR's for the proposed HSMDR zoning district, a data and analysis report was prepared with the following information:

- Consistency of the proposed land use amendments with the future land use element goals, objectives and policies, and those of other affected elements;
- Impacts on Hurricane Evacuation; Planning and the BPAS;

- Concurrency determination: description of availability of and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, and recreation, as appropriate;
- Tenant Rental Types and Rental Ranges in Relation to Affordable Housing;
- Construction Code/Federal Emergency Management Agency (FEMA) Flood Elevation Compliance; and
- Review of Archaeologically Sensitive Areas on the Site.

Please see the attached Data, Inventory and Analysis Report and the supporting Comprehensive Plan Objectives and Policies that provide direction for the LDR amendment (see attached). Please note that on September 5, 2012 the Planning Department was provided an updated survey of the Peary Court property dated April 20, 2012 (see attached) in which the size of the site had been reduced from 24.26 acres to 24.18 acres. The density calculations provided herein are reflective of the updated acreage (24.18); however, the supporting data and analysis report referred to maintains the old information of 24.26 acres. The small discrepancy however has been determined not to affect the conclusions of the Data, Inventory and Analysis Report.

Proposed Amendments and Existing Site Characteristics

The Peary Court Housing Complex consists of approximately 24.18 acres, and began phased construction in late 1993-1994. The total number of residences recognized on the property is 160; however, only 157 units are currently in existence on the property today. At the time of construction, the residences fulfilled military housing needs. However, over time, the tenant eligibility was broadened to include public sector civilians.

The property is located adjacent to the following future land use designations: Military (M) designation at Trumbo Point Annex to the north, the Historic Neighborhood Commercial Future Land Use designation along White Street to the west, the Historic Medium Density Residential (HMDR) designation to the south, the General Commercial Future Land Use designation to the east, and Public Service (PS) Future Land Use designation to the northwest and northeast. Though there are some institutional and commercial zoning districts proximate or adjacent to the property, most significant abutting land use is historic, permanent residential housing.

Based upon the Data and Analysis together with direction provided by the Future Land Use Amendment, and suggestions made through the ORC Report for the Future Land Use Amendment and the prospective buyer, White Street Partners, LLC., on behalf of the owners, the US Navy and Southeast Housing, LLC, planning staff created the proposed Land Development Regulations that best and fairly protect existing residential development and uses on site, protect surrounding neighborhood districts and allow future redevelopment of the site. The proposed LDR's for the Historic Special Medium Density Residential (HSMDR) provide a hybrid approach that reflects the special circumstances of the existing site development with other somewhat similar, existing zoning regulations that have a history of successful implementation such as the HMDR, MDR, HPRD and PRD zoning district regulations.

OFFICIAL ZONING MAP OF THE CITY OF KEY WEST, FLORIDA

Until such time as the new LDR's for HSMR are adopted and in place, the regulatory scheme of the Zoning in Progress will remain in force (see attached). That set of administrative directions to the property owner, whomever that may be, and the city staff is to allow the maintenance and replacement (if destroyed by accident or Act of God) of the existing residential and commercial structures in kind, type, density and intensity, but with no ability to process applications for development agreements, variances, exception, development plans or conditional uses. The present LDR Amendment process, when complete will be the final step of the rezoning of the property, which will then allow redevelopment of the property in conformance with the LDR's.

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Review Criteria

Section 90-523 of the Code outlines key City Commission review procedures for any changes to the Land Development Regulations. In accordance with the Code the City Commission shall consider the criteria in Section 90-521 together with the findings and recommendations of the Planning Board. As described in this report the Planning Board has recommended the proposed ordinance. A review of the proposed ordinance relative to the criteria is provided below.

Sec. 90-521. Criteria for approving amendments to official zoning map. In evaluating proposed changes to the official zoning map, the city shall consider the following criteria:

(1) *Consistency with plan.* Whether the proposal is consistent with the comprehensive plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

Based on the recent Statewide Hurricane Evacuation Modeling Workshops hosted by the Department of Economic Opportunity (DEO), the city's Building Permit Allocation System (BPAS) is being updated in the current EAR based Comprehensive Plan amendment process to reflect a distribution of 91 new units per year beginning in 2013. As part of the Peary Court Future Land Use and zoning changes the State has issued a letter granting the first 48 affordable units of the 2013 BPAS allocation to the Peary Court Housing Complex redevelopment allowing a proposed density of 9 units per acre. The dedication of the 48 units to Peary Court are reflected in the Comprehensive Plan Amendments for the new BPAS system. The proposed Land Development Regulations for the new HSMDR zoning district and zoning map changes are consistent with the related updates to the infrastructure minimum level of service (LOS) standards and the concurrency management program and there are adequate public facilities to accommodate the proposed increase in density and any allowed commercial development on the site. The City's draft Data and Analysis report for the EAR based Comprehensive Plan updates in the process of review now describe that the city meets or exceeds adequate level of service standards and meets concurrency requirements for the existing and projected future population through the 20 year planning period including the 910 new units the city will receive through the updated planning period (see attached).

(2) *Conformance with requirements.* Whether the proposal is in conformance with all applicable requirements of the Code of Ordinances.

The proposed ordinances are in conformance with the Code and the procedures for amending the Land Development Regulations. The standards, regulations and procedures proposed for the HSMDR district are consistent with and not in conflict with other parts of the Code of Ordinances.

(3) *Changed conditions.* Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing

regulations, and whether such changes support or work against the proposed rezoning.

Because the property has been owned by the US Navy there are no existing zoning regulations for the property that affect the new zoning proposed.

(4) *Land use compatibility.* Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved.

The proposed Land Development Regulations permit limited residential uses and associated accessory uses as of right. Other customary land uses found in residential districts such as parks and recreation, parking lots, educational institutions and nurseries, utilities and cultural activities have been determined to be higher impact uses are only allowed conditionally and therefore, must obtain Planning Board approval to determine land use compatibility. Therefore, the proposed LDR's are compatible with surrounding land uses.

(5) *Adequate public facilities.* Whether, and the extent to which, the proposal would result in demands on public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services. Rezoning does not constitute a concurrency determination, and the applicant will be required to obtain a concurrency determination pursuant to chapter 94.

The proposed zoning district regulations are intended to limit the impacts of uses allowed on the site. The proposed amendments will not result in development that creates excessive demands on public facilities and the existing facilities are consistent with concurrency management requirements. The Peary Court Data and Analysis Report prepared serves as the concurrency determination for existing development; however, all applications for future development will have to comply with concurrency standards.

(6) *Natural environment.* Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetlands protection, preservation of groundwater aquifer, wildlife habitats, and vegetative communities.

The site proposed for rezoning is not considered environmentally sensitive or currently zoned as conservation land. The proposed zoning regulations have no impact on the natural environment; however, any future development projects will be required to attain necessary environmental permitting and comply with mitigation requirements.

(7) *Economic effects.* Whether, and the extent to which, the proposal would adversely affect the property values in the area or the general welfare.

The proposed LDR's are intended to protect the surrounding property values and general welfare of the city and only permits the types of residential uses that exist on the site today as of right.

(8) *Orderly development.* Whether the proposal would result in an orderly and compatible land use pattern. Any negative effects on such pattern shall be identified.

The proposed LDR's will support an orderly and compatible land use pattern consistent with that which are currently existing. Further the LDR's proposed reflect a hybrid of existing district regulations with in the city to account for the special situations encountered at Peary Court.

(9) *Public interest; enabling act.* Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and interest of the land development regulations in this subpart B and the enabling legislation.

The proposed dimensional requirements reflect the existing land use patterns in other similar and adjacent residential districts within the city and compels new construction to be compatible with the surrounding Historic District. The proposed permitted and conditional uses are intended to be low impact and or accessory to the residential uses and are not in conflict with surrounding neighborhood residential uses or existing surrounding commercial development. The proposed LDR's are expected to help protect the greater public interest and will further the intent of the Comprehensive Plan and Land Development Regulations.

(10) *Other matters.* Other matters which the Planning Board and the City Commission may deem appropriate.

Other matters have not been identified at this time.

In summary, the zoning regulations contained in the proposed Ordinance are as follows:

Density	8.6 dwelling units per acre
FAR	1.0
Height	30 feet
Permitted Uses	Single family dwellings; Multifamily dwellings; Accessory Uses and structures; Approved home occupations.
Conditional Uses	Community centers clubs and lodges accessory to residential uses; Cultural and civic activities; Parks and recreation active and passive; Public and private utilities; Parking lots and facilities; Educational institutions and daycare facilities.
Setbacks	Front: 10 feet

	Side: 5 feet Rear: 15 feet Street Side: 7.5 feet
Lot Coverage	Building Coverage: 40% Impervious surface: 60%
Lot Size	5,000 square feet Width: 50 feet Depth: 100 feet
Architectural Review	HARC Staff and HARC Commission review for redevelopment and new development to ensure compatibility

RECOMMENDATIONS

Options / Advantages / Disadvantages:

Option 1. Approve the Ordinance.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would provide regulations that are consistent with the mission and vision of the city to provide affordable housing, limit impacts of development on surrounding neighborhoods and provide oversight for compatibility with historic preservation efforts.
2. **Financial Impact:** The proposed LDR's will allow the creation of new taxable assessed property value needed by the City. The infrastructure and public service programs and system are already in place to support the development. As the development enters the private system and is regulated by the City, any new development, and existing development as required will pay service and utility fees and make improvements to the physical facilities as required. The intent of such an approach is that the impact of transferring these units to the private sector be at no cost to the public. The final methods, processes and fees where appropriate will be developed with the new Land Development Regulation applied to the property.

Option 2. Do not approve the Ordinance.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would not provide enhanced services and is not consistent with the mission and vision of the city.
2. **Financial Impact:** Denying the request may cause delays in identifying suitable Zoning Regulations that may have a negative effect on the Monroe County Property appraiser's assigned values on the property.

STAFF RECOMMENDATION

Option 1.

Approval of the Ordinance amending the Official Zoning Map for property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963) Amending the Official Zoning Map Legend; Amending Chapter 122, Article IV, to create a new Historic Special Medium Density Residential district (HSMDR), providing for permitted uses, conditional uses, prohibited uses and dimensional requirements; providing for a residential density of 8.6 units per acre; amending Chapter 122, Article V, providing amendments to the tables of uses and dimensional requirements for the Historic Special Medium Density Residential district (HSMDR).

EXECUTIVE SUMMARY



To: Bogdan Vitas Jr., City Manager

From: Nicole Malo, Planner II

Through: Donald Leland Craig, AICP, Planning Director

Date: September 5, 2012

RE: An Ordinance of the City of Key West amending the Land Development Regulations, and the Official Zoning Map for property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963) Amending the Official Zoning Map Legend; Amending Chapter 122, Article IV, to create a new Historic Special Medium Density Residential district (HSMDR), providing for permitted uses, conditional uses, prohibited uses and dimensional requirements; providing for a residential density of 9 units per acre; amending Chapter 122, Article V, providing amendments to the tables of uses and dimensional requirements for Historic Special Medium Density Residential district (HSMDR); providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

ACTION STATEMENT

Request: Request to consider amendments to the Land Development Regulations for the new Historic Special Medium Density Residential Zoning District including amendments to the zoning map and associated information to compliment the proposed Comprehensive Plan Future Land Use Amendment for the Peary Court Housing Complex, a former military housing site.

Location: Peary Court Housing Complex;
RE# 00006730-000000, Alternate Key# 1006963

BACKGROUND

On July 19, 2012 the Planning Board in its deliberations heard and approved the attached ordinance for amendments to the Land Development Regulations for the Historic Special Medium Density Residential Zoning District. A minor modification was proposed that in addition to design oversight for all development and redevelopment by the Historic Preservation Planner, HARC approval be required, when appropriate, in conformance with the HARC Guidelines (see page 6 of the proposed Ordinance). However, since then the Planning Department has received information from the Department of Economic Opportunity (see attachment 6) that the first 48 new Building Permit Allocations to be distributed as part of the new BPAS system are to be dedicated to the Peary Court

Housing Complex redevelopment. In response, the Planning Department requested that the City Commission postpone hearing the proposed zoning Ordinance, first scheduled to be heard on August 7, 2012, in order to change the proposed density allowed for the HSMDR zoning district from 8 units per acre to 9 units per acre to accommodate a total of 208 units on the site. The density change is supported by the proposed EAR based amendments to the Comprehensive Plan and Data and Analysis report that are scheduled to be heard by the Planning Board on August 30, 2012 and the City Commission sometime in September.

The proposed amendments are a result of the United States Navy, with its concessional housing partner, Southeast Housing, LLC, pursuing the sale of the property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963); and all of the structures on it, to a private entity. The property is located within a Military (M) Future Land Use designation and corresponding zoning district. Because the property is considered for sale to a non-military entity, the Future Land Use Element and Future Land Use Map (FLUM) of the City of Key West Comprehensive Plan must be amended, and the City's Land Development Regulations (LDR's) must be changed in order to include the new zoning district and update the City's Official Zoning Map.

An application for the amendments to the Future Land Use Map of the Comprehensive Plan was made by Southeast Housing, LLC., was heard by the Planning Board on April 19, 2012, with a recommendation for approval made to the City Commission. On May 29, 2012 City Commission approved the first reading of the ordinance to amend the Future Land Use (FLU) policy for the proposed Historic Special Medium Density Residential district with a modification to policy 1-1.6.4(4) that recognizes that a portion of the existing housing stock at Peary Court contributes to the city's affordable housing stock and that a reasonable amount of the existing units be maintained as affordable (attachment 1). Subsequently, the approval was transmitted to the Florida Department of Economic Opportunity (DEO) and the State Coordinated Reviewing Agencies on June 8, 2012. On August 6, 2012 the City Received the Objectives, Recommendations and Comments (ORC) Report from the State Land Planning and reviewing Agencies. The report included an objection to the proposed density of 8 units per acre because it would not accommodate the additional 48 affordable units on the site (attachment 7). Therefore, the proposed LDR amendment is consistent with the ORC report comments for the FLU amendment, although the FLU will have to be amended before the City Commission second reading for consistency with the ORC report comments and the proposed density increase.

Although the Comprehensive Plan policy amendments and the Future Land Use Designation of HSMDR have not been fully adopted, the recently enacted Laws of Florida 2012-99, amending Florida Statute Section 163.3184(12) allow municipalities to process Future Land Use Amendments and amendments to the Land Development Regulations concurrently. The rule requires that the LDR amendment is contingent upon the approval and adoption of the Future Land Use Amendment.

In order to amend the Comprehensive Plan and LDR's for the proposed HSMDR zoning district, a data and analysis report was prepared with the following information:

- Consistency of the proposed land use amendments with the future land use element goals, objectives and policies, and those of other affected elements;
- Impacts on Hurricane Evacuation; Planning and the BPAS;
- Concurrency determination: description of availability of and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, and recreation, as appropriate;
- Tenant Rental Types and Rental Ranges in Relation to Affordable Housing;
- Construction Code/Federal Emergency Management Agency (FEMA) Flood Elevation Compliance; and
- Review of Archaeologically Sensitive Areas on the Site.

Please see the attached Data, Inventory and Analysis Report and the supporting Comprehensive Plan Objectives and Policies that provide direction for the LDR amendment (attachment 2).

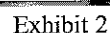
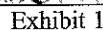
Proposed Amendments and Existing Site Characteristics

The Peary Court Housing Complex consists of approximately 24.26 acres, and began phased construction in late 1993-1994. The total number of residences recognized on the property is 160; however, only 157 units are currently in existence on the property today. At the time of construction, the residences fulfilled military housing needs. However, over time, the tenant eligibility was broadened to include public sector civilians.

The property is located adjacent to the following future land use designations: Military (M) designation at Trumbo Point Annex to the north, the Historic Neighborhood Commercial Future Land Use designation along White Street to the west, the Historic Medium Density Residential (HMDR) designation to the south, the General Commercial Future Land Use designation to the east, and Public Service (PS) Future Land Use designation to the northwest and northeast. Though there are some institutional and commercial zoning districts proximate or adjacent to the property, most significant abutting land use is historic, permanent residential housing.

Based upon the Data and Analysis together with direction provided by the Future Land Use Amendment that was approved by the City Commission for transmittal to the DEO, and suggestions made through the ORC Report for the Future Land Use Amendment and the prospective buyer, White Street Partners, LLC., on behalf of the owners, the US Navy and Southeast Housing, LLC, planning staff created the proposed Land Development Regulations that best and fairly protect existing residential development and uses on site, protect surrounding neighborhood districts and allow future redevelopment of the site. The proposed LDR's for the Historic Special Medium Density Residential (HSMDR) provide a hybrid approach that reflects the special circumstances of the existing site development with other somewhat similar, existing zoning regulations that have a history of successful implementation such as the HMDR, MDR, HPRD and PRD zoning district regulations.

In addition to creating the new HSMDR zoning district with affordability regulations, permitted uses, conditional uses and dimensional requirements, the proposed amendments include modifications to the official zoning map and FLUM (Exhibit 1) and associated official zoning map legend (Exhibit 2). These changes will appear as follows:



Until such time as the new LDR's for HSMDR are adopted and in place, the regulatory scheme of the Zoning in Progress will remain in force (attachment 3). That set of administrative directions to the property owner, whomever that may be, and the city staff is to allow the maintenance and replacement (if destroyed by accident or Act of God) of the existing residential and commercial structures in kind, type, density and intensity, but with no ability to process applications for development agreements, variances, exception, development plans or conditional uses. The present LDR Amendment process, when complete will be the final step of the rezoning of the property, which will then allow redevelopment of the property in conformance with the LDR's.

Previous City Actions

Planning Board Meeting

City Commission Meeting

July 19, 2012

August 7, 2012 – postponed
September

Review Criteria

Section 90-523 of the Code outlines key City Commission review procedures for any changes to the Land Development Regulations. In accordance with the Code the City Commission shall consider the criteria in Section 90-521 together with the findings and recommendations of the Planning Board. As described in this report the Planning Board has recommended the proposed ordinance. A review of the proposed ordinance relative to the criteria is provided below.

Sec. 90-521. Criteria for approving amendments to official zoning map. In evaluating proposed changes to the official zoning map, the city shall consider the following criteria:

(1) *Consistency with plan.* Whether the proposal is consistent with the comprehensive plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

Based on the recent Statewide Hurricane Evacuation Modeling Workshops hosted by the Department of Economic Opportunity (DEO), the city's Building Permit Allocation System (BPAS) is being updated in the current EAR based Comprehensive Plan amendment process to reflect a distribution of 91 new units per year beginning in 2013.

As part of the Peary Court Future Land Use and zoning changes the State has issued a letter granting the first 48 affordable units of the 2013 BPAS allocation to the Peary Court Housing Complex redevelopment allowing a proposed density of 9 units per acre (attachment 6). The dedication of the 48 units to Peary Court are reflected in the Comprehensive Plan Amendments for the new BPAS system. The proposed Land Development Regulations for the new HSMDR zoning district and zoning map changes are consistent with the related updates to the infrastructure minimum level of service (LOS) standards and the concurrency management program and there are adequate public facilities to accommodate the proposed increase in density and any allowed commercial development on the site. The City's draft Data and Analysis report for the EAR based Comprehensive Plan updates in the process of review now describe that the city meets or

exceeds adequate level of service standards and meets concurrency requirements for the existing and projected future population through the 20 year planning period including the 910 new units the city will receive through the updated planning period (attachment 5).

(2) *Conformance with requirements.* Whether the proposal is in conformance with all applicable requirements of the Code of Ordinances.

The proposed ordinances are in conformance with the Code and the procedures for amending the Land Development Regulations. The standards, regulations and procedures proposed for the HSMDR district are consistent with and not in conflict with other parts of the Code of Ordinances.

(3) *Changed conditions.* Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed rezoning.

Because the property has been owned by the US Navy there are no existing zoning regulations for the property that affect the new zoning proposed.

(4) *Land use compatibility.* Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved.

The proposed Land Development Regulations permit limited residential uses and associated accessory uses as of right. Other customary land uses found in residential districts such as parks and recreation, parking lots, educational institutions and nurseries, utilities and cultural activities have been determined to be higher impact uses are only allowed conditionally and therefore, must obtain Planning Board approval to determine land use compatibility. Therefore, the proposed LDR's are compatible with surrounding land uses.

(5) *Adequate public facilities.* Whether, and the extent to which, the proposal would result in demands on public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services. Rezoning does not constitute a concurrency determination, and the applicant will be required to obtain a concurrency determination pursuant to chapter 94.

The proposed zoning district regulations are intended to limit the impacts of uses allowed on the site. The proposed amendments will not result in development that creates excessive demands on public facilities and the existing facilities are consistent with concurrency management requirements. The Peary Court Data and Analysis Report

prepared serves as the concurrency determination for existing development; however, all applications for future development will have to comply with concurrency standards.

(6) *Natural environment.* Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetlands protection, preservation of groundwater aquifer, wildlife habitats, and vegetative communities.

The site proposed for rezoning is not considered environmentally sensitive or currently zoned as conservation land. The proposed zoning regulations have no impact on the natural environment; however, any future development projects will be required to attain necessary environmental permitting and comply with mitigation requirements.

(7) *Economic effects.* Whether, and the extent to which, the proposal would adversely affect the property values in the area or the general welfare.

The proposed LDR's are intended to protect the surrounding property values and general welfare of the city and only permits the types of residential uses that exist on the site today as of right.

(8) *Orderly development.* Whether the proposal would result in an orderly and compatible land use pattern. Any negative effects on such pattern shall be identified.

The proposed LDR's will support an orderly and compatible land use pattern consistent with that which are currently existing. Further the LDR's proposed reflect a hybrid of existing district regulations with in the city to account for the special situations encountered at Peary Court.

(9) *Public interest; enabling act.* Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and interest of the land development regulations in this subpart B and the enabling legislation.

The proposed dimensional requirements reflect the existing land use patterns in other similar and adjacent residential districts within the city and compels new construction to be compatible with the surrounding Historic District. The proposed permitted and conditional uses are intended to be low impact and or accessory to the residential uses and are not in conflict with surrounding neighborhood residential uses or existing surrounding commercial development. The proposed LDR's are expected to help protect the greater public interest and will further the intent of the Comprehensive Plan and Land Development Regulations.

(10) *Other matters.* Other matters which the Planning Board and the City Commission may deem appropriate.

Other matters have not been identified at this time.

In summary, the zoning regulations contained in the proposed Ordinance are as follows:

Density	9.0 dwelling units per acre
FAR	1.0
Height	30 feet
Permitted Uses	Single family dwellings; Multifamily dwellings; Accessory Uses and structures; Approved home occupations.
Conditional Uses	Community centers clubs and lodges accessory to residential uses; Cultural and civic activities; Parks and recreation active and passive; Public and private utilities; Parking lots and facilities; Educational institutions and daycare facilities.
Setbacks	Front: 10 feet Side: 5 feet Rear: 15 feet Street Side: 7.5 feet
Lot Coverage	Building Coverage: 40% Impervious surface: 60%
Lot Size	5,000 square feet Width: 50 feet Depth: 100 feet
Architectural Review	HARC Staff and HARC Commission review for redevelopment and new development to ensure compatibility

RECOMMENDATIONS

Options / Advantages / Disadvantages:

Option 1. Approve the Ordinance.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would provide regulations that are consistent with the mission and vision of the city to provide affordable housing, limit impacts of development on surrounding neighborhoods and provide oversight for compatibility with historic preservation efforts.
2. **Financial Impact:** The proposed LDR's will allow the creation of new taxable assessed property value needed by the City. The infrastructure and public service programs and system are already in place to support the development. As the development enters the private system and is regulated by the City, any new development, and existing development as required will pay service and utility fees and make improvements to the physical facilities as required. The intent of such an approach is that the

impact of transferring these units to the private sector be at no cost to the public. The final methods, processes and fees where appropriate will be developed with the new Land Development Regulation applied to the property.

Option 2. Do not approve the Ordinance.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would not provide enhanced services and is not consistent with the mission and vision of the city.
2. **Financial Impact:** Denying the request may cause delays in identifying suitable Zoning Regulations that may have a negative effect on the Monroe County Property appraiser's assigned values on the property.

STAFF RECOMMENDATION

Option 1.

Approval of the Ordinance amending the Official Zoning Map for property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963) Amending the Official Zoning Map Legend; Amending Chapter 122, Article IV, to create a new Historic Special Medium Density Residential district (HSMDR), providing for permitted uses, conditional uses, prohibited uses and dimensional requirements; providing for a residential density of 9 units per acre; amending Chapter 122, Article V, providing amendments to the tables of uses and dimensional requirements for the Historic Special Medium Density Residential district (HSMDR).



**Planning Board Resolution 2012-035 and
recommended Ordinance**

**PLANNING BOARD
RESOLUTION No. 2012-35**

A RESOLUTION OF THE KEY WEST PLANNING BOARD RECOMMENDING APPROVAL OF AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, AND THE OFFICIAL ZONING MAP FOR PROPERTY KNOWN AS THE PEARY COURT HOUSING COMPLEX (RE# 00006730-000000, ALTERNATE KEY# 1006963) AMENDING THE OFFICIAL ZONING MAP LEGEND; AMENDING CHAPTER 122, ARTICLE IV, TO CREATE A NEW HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT (HSMDR), PROVIDING FOR PERMITTED USES, CONSIDITIONAL USES, PROHIBITED USES AND DIMENSIONAL REQUIREMENTS; AMENDING CHAPTER 122, ARTICLE V, PROVIDING AMENDMENTS TO THE TABLES OF USES AND DIMENSIONAL REQUIREMENTS FOR THE HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT (HSMDR); PROVIDING FOR CONCURRENT AND CONDITIONAL ADOPTION UPON ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 17, 2011 the Planning Department was informed that the Navy would be selling the Peary Court Housing Complex to a private entity, Southeast Housing, LLC.;
and

WHEREAS, the Peary Court Housing Complex property is currently zoned Military (M) lands, and is not subject to the City's Land Development Regulations; and

 Vice-Chairman
 Planning Director

WHEREAS, the Planning Department initiated the proposed LDR amendments subsequent to beginning the process for amending the Comprehensive Plan Future Land Use Map and Element to the ordinance as a result of an application received by; Southeast Housing, LLC.; and

WHEREAS, the Planning Board held a noticed public hearing on July 19, 2012, where based on the consideration of recommendations by the City Planner and City Attorney, the Planning Board recommended approval of the proposed amendments; and

WHEREAS, the Planning Board determined that the proposed amendments are: consistent with the Comprehensive Plan; in conformance with all applicable requirements of the Code of Ordinances; are stimulated by changed conditions after the effective date of the existing regulation; will promote land use compatibility; will not result in additional public demand on public facilities; will have no impact on the built environment; will not negatively impact property values or the general welfare; will result in more orderly and compatible land use patterns; and are in the public interest.

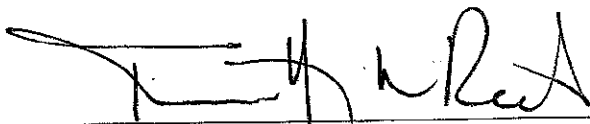
NOW THEREFORE BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. That Chapter 122 of the Code of Ordinances entitled "Zoning" by amending Section 122-92, Section 122-611, Section 122-612, Section 122-613, Section 122-614, Section 122-615, Section 122-616, Section 122-1111, Section 122-1157, and the official zoning map and legend of the City of Key West for property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key #1006963) is hereby recommended for approval; a copy of the recommended modifications to the Code is attached.

Section 3. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.
Read and passed on first reading at a regular meeting held this 19th day of July, 2012.

Authenticated by the Vice-Chairman of the Planning Board and the Planning Director.

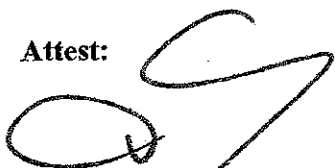


Vice-Chairman Timothy Root
Key West Planning Board

7/27/12

Date

Attest:

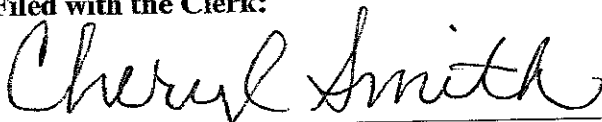


Donald Leland Craig, AICP
Planning Director

7.25.12

Date

Filed with the Clerk:



Cheryl Smith, City Clerk

7-27-12

Date



Vice-Chairman



Planning Director

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST AMENDING THE LAND DEVELOPMENT REGULATIONS, AND THE OFFICIAL ZONING MAP FOR PROPERTY KNOWN AS THE PEARY COURT HOUSING COMPLEX (RE# 00006730-000000, Alternate Key# 1006963) AMENDING THE OFFICIAL ZONING MAP LEGEND; AMENDING CHAPTER 122, ARTICLE IV, TO CREATE A NEW HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT (HSMR), PROVIDING FOR PERMITTED USES, CONDITIONAL USES, PROHIBITED USES AND DIMENSIONAL REQUIREMENTS; AMENDING CHAPTER 122, ARTICLE V, PROVIDING AMENDMENTS TO THE TABLES OF USES AND DIMENSIONAL REQUIREMENTS FOR HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT (HSMR); PROVIDING FOR CONCURRENT AND CONDITIONAL ADOPTION UPON APPROVAL OF COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 90-517 of the Code of Ordinances allows the City Commission to amend the text of the Land Development Regulations and the boundaries of the Official Zoning Map in accordance with Sections 90-486 through 90-524.

WHEREAS, pursuant to Section 90-522, the Planning Board held a noticed public hearing on _____; where based on the consideration of recommendations of the City Planner, City Attorney, Building Official, and public testimony and input, and

* (Coding: Added language is underlined; deleted language is struck through.)

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recommendation of the Planning Department, recommended approval of the proposed amendments; and

WHEREAS, the City Commission held a noticed public hearing on _____ and a second public hearing on _____ and in its deliberations considered the criteria identified in Section 90-521 of the Code of Ordinances; and

WHEREAS, the City determined that the proposed amendments are: consistent with the Comprehensive Plan; in conformance with all applicable requirements of the Code of Ordinances; are stimulated by changed conditions after the effective date of the existing regulation; will promote land use compatibility; will not result in additional demand on public facilities; will have no impact on the natural environment; will not negatively impact property values or the general welfare; will result in more orderly and compatible land use patterns; and are in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

* (Coding: Added language is underlined; deleted language is struck through.)

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Section 1: That Chapter 122, Article IV, of the Code of Ordinances is hereby amended as follows:

SUBPART B - LAND DEVELOPMENT REGULATIONS

CHAPTER 122

ZONING

ARTICLE IV. DISTRICTS

DIVISION 1. GENERALLY

Sec. 122-92. - Future land use map designations and zoning districts.

The following table references adopted future land use map designations contained in the land use element of the city comprehensive plan and identifies corresponding zoning districts which are established in order to implement the future land use map designations, respectively:

FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS

Old Town Historic Preservation	

HSMR	Historic Special Medium Density Residential

Section 2: That Chapter 122, Article IV, Division 6 of the Code of Ordinances is hereby amended as follows:

* (Coding: Added language is underlined; deleted language is struck through.)

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[new] SUBDIVISION III. HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT

Sec. 122-611. - Intent.

- (a) The historic special medium density residential district (HSMDR) is established to implement comprehensive plan policies for areas designated "HSMDR" on the comprehensive plan future land use map. The HSMDR district shall accommodate historic special Old Town medium density residential development for permanent residents, including single-family, duplex, and multiple-family residential structures.
- (b) Accessory uses and structures, including approved home occupations conducted within the residential structure, and customary community facilities can be located in the HSMDR designated area. This district shall not accommodate transient residential lodging uses, including guesthomes, motels or hotels, time-shares, transient apartment, vacation rental, and gated transient communities.

* (Coding: Added language is underlined; deleted language is struck through.)

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(c) Freestanding commercial offices, retail or other commercial or industrial uses of any kind shall not be permitted.

(d) The Historic Preservation Planner shall have the discretion to review redevelopment and new development impacts for mass, scale, size, proportion and screening to ensure compatibility with the existing commercial fabric.

Sec. 122-612. - Permitted uses.

Uses permitted in the historic medium density residential district (HSMDR) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Accessory uses and structures.
- (4) Approved home occupations.

Sec. 122-613. - Conditional uses.

Conditional uses in the historic medium density residential district (HSMDR) are as follows:

- (1) Community centers, clubs and lodges accessory to residential uses.

* (Coding: Added language is underlined; deleted language is struck through.)

- (2) Cultural and civic activities.
- (3) Parks and recreation active and passive.
- (4) Public and private utilities.
- (5) Parking lots and facilities.
- (6) Educational institutions and day care facilities.

Sec. 122-614. - Prohibited uses.

In the historic special medium density residential district (HSMRD), all uses not specifically or provisionally provided for in this subdivision are prohibited.

Sec. 122-615. - Dimensional requirements.

The dimensional requirements in the historic special medium density residential district (HSMRD) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the Historic Architectural Review Commission Design Guidelines, for additions and alterations and new construction, dated and effective January 5, 2010 and administered by the Historic Preservation Planner, and/or the HARC Commission, who shall have the responsibility to review and approve or deny all applications for improvements, redevelopment and new development.

* (Coding: Added language is underlined; deleted language is struck through.)

- (1) Maximum density: 8 dwelling units per acre (8 du/acre).
- (2) Maximum floor area ratio for all development including residential: 1.0.
- (3) Maximum height: 30 feet.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 40 percent.
 - b. Maximum impervious surface ratio: 60 percent.
- (5) Minimum lot size: 5,000 square feet.
 - a. Minimum lot width: 50 feet.
 - b. Minimum lot depth: 100 feet.
- (6) Minimum setbacks:
 - a. Front: 10 feet.
 - b. Side: 5 feet.
 - c. Rear: 15 feet.
 - d. Street side: 7.5 feet.

Sec. 122-616. - Affordable housing requirements.

Affordable housing shall be required for all existing residential, redeveloped residential and new residential development at a ratio of 30% for properties located within the HSMDR zoning district per Chapter 122, Article V, Division 10, Sections 122-1465 through 122-1472.

*(Coding: Added language is underlined; deleted language is struck through.)

Section 3: That Chapter 122, Article V, Division 2, Uses,
Section 122-1111 of the Code of Ordinances is hereby amended as
follows:

*(Coding: Added language is underlined; deleted language is struck through.)

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ARTICLE V. SUPPLEMENTARY DISTRICT REGULATIONS
DIVISION 2. USES

Sec. 122-1111. - Table of land use by districts

TABLE OF LAND USE BY DISTRICT

	LDR- C	SF	MDR	MDR- C	HDR	CL	CG	CT	RO	PRD	HMDR	HSMDR	HHDR	HRCC-1	HRCC-2	HRCC-3	HPRD	HNC-1	HNC-2	HNC-3	HCT	HRO	KPS	HPS- 1	PS	C	A5
Residential Uses																											
Accessory residential units (reference section 122-171)		P																									
Single-family dwellings	P	P	P	P	P	P	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	
Duplexes/two-family dwellings		Cl	P	P	P	P	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	
Multiple-family dwellings			P	P	P	P	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	
Foster homes/group homes with 5 to 6 residents ²	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P					
Group homes with 7-14 residents ²			C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C					
Approved home occupations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P					
Accessory uses and structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	C
Community Facilities																											
Airport facilities																											P
Cemeteries																											
Community centers, clubs and lodges							C	C	C	C		C		C	C		C	C			C	C	P			P	
Cultural and civic activities							P	P	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C			C	
Educational institutions and day care facilities		C	C			C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P			P	
Golf course facilities ⁶										C																P	

(Coding: Added language is underlined; deleted language is struck through.)

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Section 4 - That Chapter 122, Article V, Division 3, Area Requirements, Section 122-1157, Size and Dimension Regulations, of the Code of Ordinances is hereby amended follows:

DIVISION 3. AREA REQUIREMENTS

Sec. 122-1151. - Size and dimension.

Size and dimension regulations for zoning districts shall be as follows:

TABLE OF SIZE AND DIMENSION REGULATIONS

District	Minimum Setback Requirements												Maximum Density (du/acre)
	Minimum Area (sq. ft.)	Minimum Width (sq. ft.)	Minimum Depth (sq. ft.)	Minimum Impervious Surface Ratio	Maximum Building Coverage	Front Setback (feet)	Street Side Setback (feet)	Side Setback (feet)	Rear Setback (feet)	Maximum Height (feet)	Maximum Floor Area Ratio		
HSMDR historic special medium density residential	5,000	50	100	60	40	10	7.5	5	15	30	1.0 22	8	

22. Maximum Floor Area Ratio applies to all development and redevelopment including residential: 1.0.

*(Coding: Added language is underlined; deleted language is struck through.)

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Section 5: The official zoning map of the City of Key West is hereby amended as follows:

Remove the Military (M) zoning map description applied to the property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963), and substitute the new Historic Special Medium Density (HSMDR) zoning designation (Exhibit 1); and

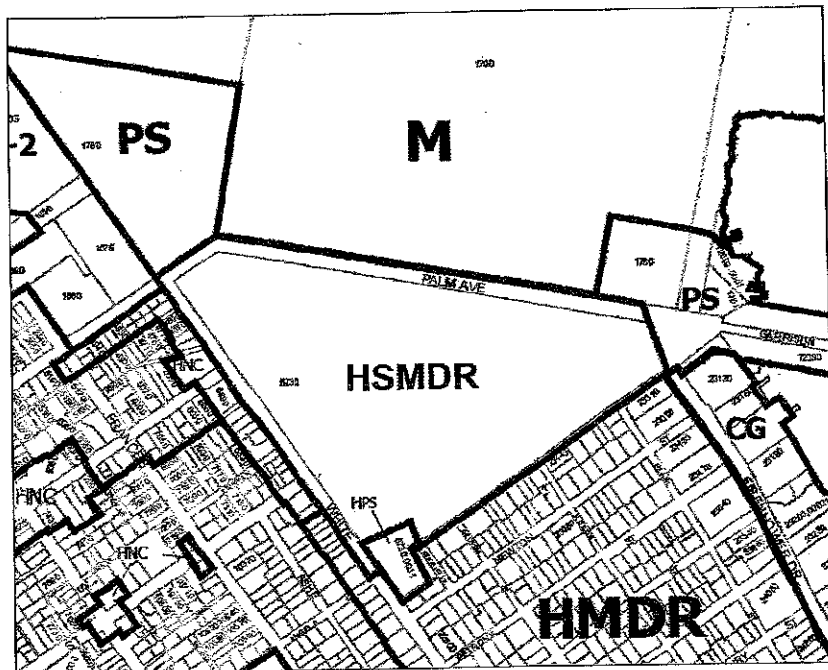


Exhibit 1

The Official Zoning Map Legend shall be amended to include the Historic Medium Density (HSMDR) Zoning designation (Exhibit 2); and

*(Coding: Added language is underlined; deleted language is struck through.)

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OFFICIAL ZONING MAP OF THE CITY OF KEY WEST, FLORIDA				
LEGEND				
A Airport	AMDR Historic High Density Residential	MDR Medium Density Residential	Zoning definitions based on Future Land Use Map (FLUM). Original map created by D. Stokes Stewart with the City of Key West Planning Department dated 1993. 1996 Revisions provided by the City of Key West Planning Department. FLUM adopted as zoning map by ordinance 97-10, July 3, 1997. 2004 Revisions provided by the City of Key West Planning Department based on ordinances 98-16, 00-14, and 03-04. Rezone map provided by the Monroe County Property Appraiser. Parcel map updated on: June 24, 2004 Plot prepared on: December 14, 2004 THIS PROPERTY LOCATION MAP HAS BEEN COMPLETED FOR SYSTEMIC OFFICE USES AND IN THE PREPARATION OF THE MONROE COUNTY TAX ROLL. THIS MAP IS A SUMMARY AND THE OWNERSHIP INFORMATION ON THIS MAP IS NOT A GUARANTEE. THE CITY OF KEY WEST AND THE PROPERTY APPRAISER ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.	
C-1W Comprehensive Professional Services	SMR Historic Medium Density Residential	MDR-1 Medium Density Residential		
C-2W Comprehensive Community Services of the State	MSR Historic Medium Density Residential	MDR-2 Medium Density Residential		
C-3W Comprehensive Community Services of the State	MSR-1 Historic Medium Density Residential	MDR-3 Medium Density Residential		
C-4W Comprehensive Community Services of the State	MSR-2 Historic Medium Density Residential	MDR-4 Medium Density Residential		
C-5W Comprehensive Community Services of the State	MSR-3 Historic Medium Density Residential	MDR-5 Medium Density Residential		
C-6W Comprehensive Community Services of the State	MSR-4 Historic Medium Density Residential	MDR-6 Medium Density Residential		
C-7W Comprehensive Community Services of the State	MSR-5 Historic Medium Density Residential	MDR-7 Medium Density Residential		
C-8W Comprehensive Community Services of the State	MSR-6 Historic Medium Density Residential	MDR-8 Medium Density Residential		
C-9W Comprehensive Community Services of the State	MSR-7 Historic Medium Density Residential	MDR-9 Medium Density Residential		
C-10W Comprehensive Community Services of the State	MSR-8 Historic Medium Density Residential	MDR-10 Medium Density Residential		
C-11W Comprehensive Community Services of the State	MSR-9 Historic Medium Density Residential	MDR-11 Medium Density Residential		
C-12W Comprehensive Community Services of the State	MSR-10 Historic Medium Density Residential	MDR-12 Medium Density Residential		
C-13W Comprehensive Community Services of the State	MSR-11 Historic Medium Density Residential	MDR-13 Medium Density Residential		
C-14W Comprehensive Community Services of the State	MSR-12 Historic Medium Density Residential	MDR-14 Medium Density Residential		
C-15W Comprehensive Community Services of the State	MSR-13 Historic Medium Density Residential	MDR-15 Medium Density Residential		
C-16W Comprehensive Community Services of the State	MSR-14 Historic Medium Density Residential	MDR-16 Medium Density Residential		
C-17W Comprehensive Community Services of the State	MSR-15 Historic Medium Density Residential	MDR-17 Medium Density Residential		
C-18W Comprehensive Community Services of the State	MSR-16 Historic Medium Density Residential	MDR-18 Medium Density Residential		
C-19W Comprehensive Community Services of the State	MSR-17 Historic Medium Density Residential	MDR-19 Medium Density Residential		
C-20W Comprehensive Community Services of the State	MSR-18 Historic Medium Density Residential	MDR-20 Medium Density Residential		
C-21W Comprehensive Community Services of the State	MSR-19 Historic Medium Density Residential	MDR-21 Medium Density Residential		
C-22W Comprehensive Community Services of the State	MSR-20 Historic Medium Density Residential	MDR-22 Medium Density Residential		
C-23W Comprehensive Community Services of the State	MSR-21 Historic Medium Density Residential	MDR-23 Medium Density Residential		
C-24W Comprehensive Community Services of the State	MSR-22 Historic Medium Density Residential	MDR-24 Medium Density Residential		
C-25W Comprehensive Community Services of the State	MSR-23 Historic Medium Density Residential	MDR-25 Medium Density Residential		
C-26W Comprehensive Community Services of the State	MSR-24 Historic Medium Density Residential	MDR-26 Medium Density Residential		
C-27W Comprehensive Community Services of the State	MSR-25 Historic Medium Density Residential	MDR-27 Medium Density Residential		
C-28W Comprehensive Community Services of the State	MSR-26 Historic Medium Density Residential	MDR-28 Medium Density Residential		
C-29W Comprehensive Community Services of the State	MSR-27 Historic Medium Density Residential	MDR-29 Medium Density Residential		
C-30W Comprehensive Community Services of the State	MSR-28 Historic Medium Density Residential	MDR-30 Medium Density Residential		
C-31W Comprehensive Community Services of the State	MSR-29 Historic Medium Density Residential	MDR-31 Medium Density Residential		
C-32W Comprehensive Community Services of the State	MSR-30 Historic Medium Density Residential	MDR-32 Medium Density Residential		
C-33W Comprehensive Community Services of the State	MSR-31 Historic Medium Density Residential	MDR-33 Medium Density Residential		
C-34W Comprehensive Community Services of the State	MSR-32 Historic Medium Density Residential	MDR-34 Medium Density Residential		
C-35W Comprehensive Community Services of the State	MSR-33 Historic Medium Density Residential	MDR-35 Medium Density Residential		
C-36W Comprehensive Community Services of the State	MSR-34 Historic Medium Density Residential	MDR-36 Medium Density Residential		
C-37W Comprehensive Community Services of the State	MSR-35 Historic Medium Density Residential	MDR-37 Medium Density Residential		
C-38W Comprehensive Community Services of the State	MSR-36 Historic Medium Density Residential	MDR-38 Medium Density Residential		
C-39W Comprehensive Community Services of the State	MSR-37 Historic Medium Density Residential	MDR-39 Medium Density Residential		
C-40W Comprehensive Community Services of the State	MSR-38 Historic Medium Density Residential	MDR-40 Medium Density Residential		
C-41W Comprehensive Community Services of the State	MSR-39 Historic Medium Density Residential	MDR-41 Medium Density Residential		
C-42W Comprehensive Community Services of the State	MSR-40 Historic Medium Density Residential	MDR-42 Medium Density Residential		
C-43W Comprehensive Community Services of the State	MSR-41 Historic Medium Density Residential	MDR-43 Medium Density Residential		
C-44W Comprehensive Community Services of the State	MSR-42 Historic Medium Density Residential	MDR-44 Medium Density Residential		
C-45W Comprehensive Community Services of the State	MSR-43 Historic Medium Density Residential	MDR-45 Medium Density Residential		
C-46W Comprehensive Community Services of the State	MSR-44 Historic Medium Density Residential	MDR-46 Medium Density Residential		
C-47W Comprehensive Community Services of the State	MSR-45 Historic Medium Density Residential	MDR-47 Medium Density Residential		
C-48W Comprehensive Community Services of the State	MSR-46 Historic Medium Density Residential	MDR-48 Medium Density Residential		
C-49W Comprehensive Community Services of the State	MSR-47 Historic Medium Density Residential	MDR-49 Medium Density Residential		
C-50W Comprehensive Community Services of the State	MSR-48 Historic Medium Density Residential	MDR-50 Medium Density Residential		
C-51W Comprehensive Community Services of the State	MSR-49 Historic Medium Density Residential	MDR-51 Medium Density Residential		
C-52W Comprehensive Community Services of the State	MSR-50 Historic Medium Density Residential	MDR-52 Medium Density Residential		
C-53W Comprehensive Community Services of the State	MSR-51 Historic Medium Density Residential	MDR-53 Medium Density Residential		
C-54W Comprehensive Community Services of the State	MSR-52 Historic Medium Density Residential	MDR-54 Medium Density Residential		
C-55W Comprehensive Community Services of the State	MSR-53 Historic Medium Density Residential	MDR-55 Medium Density Residential		
C-56W Comprehensive Community Services of the State	MSR-54 Historic Medium Density Residential	MDR-56 Medium Density Residential		
C-57W Comprehensive Community Services of the State	MSR-55 Historic Medium Density Residential	MDR-57 Medium Density Residential		
C-58W Comprehensive Community Services of the State	MSR-56 Historic Medium Density Residential	MDR-58 Medium Density Residential		
C-59W Comprehensive Community Services of the State	MSR-57 Historic Medium Density Residential	MDR-59 Medium Density Residential		
C-60W Comprehensive Community Services of the State	MSR-58 Historic Medium Density Residential	MDR-60 Medium Density Residential		
C-61W Comprehensive Community Services of the State	MSR-59 Historic Medium Density Residential	MDR-61 Medium Density Residential		
C-62W Comprehensive Community Services of the State	MSR-60 Historic Medium Density Residential	MDR-62 Medium Density Residential		
C-63W Comprehensive Community Services of the State	MSR-61 Historic Medium Density Residential	MDR-63 Medium Density Residential		
C-64W Comprehensive Community Services of the State	MSR-62 Historic Medium Density Residential	MDR-64 Medium Density Residential		
C-65W Comprehensive Community Services of the State	MSR-63 Historic Medium Density Residential	MDR-65 Medium Density Residential		
C-66W Comprehensive Community Services of the State	MSR-64 Historic Medium Density Residential	MDR-66 Medium Density Residential		
C-67W Comprehensive Community Services of the State	MSR-65 Historic Medium Density Residential	MDR-67 Medium Density Residential		
C-68W Comprehensive Community Services of the State	MSR-66 Historic Medium Density Residential	MDR-68 Medium Density Residential		
C-69W Comprehensive Community Services of the State	MSR-67 Historic Medium Density Residential	MDR-69 Medium Density Residential		
C-70W Comprehensive Community Services of the State	MSR-68 Historic Medium Density Residential	MDR-70 Medium Density Residential		
C-71W Comprehensive Community Services of the State	MSR-69 Historic Medium Density Residential	MDR-71 Medium Density Residential		
C-72W Comprehensive Community Services of the State	MSR-70 Historic Medium Density Residential	MDR-72 Medium Density Residential		
C-73W Comprehensive Community Services of the State	MSR-71 Historic Medium Density Residential	MDR-73 Medium Density Residential		
C-74W Comprehensive Community Services of the State	MSR-72 Historic Medium Density Residential	MDR-74 Medium Density Residential		
C-75W Comprehensive Community Services of the State	MSR-73 Historic Medium Density Residential	MDR-75 Medium Density Residential		
C-76W Comprehensive Community Services of the State	MSR-74 Historic Medium Density Residential	MDR-76 Medium Density Residential		
C-77W Comprehensive Community Services of the State	MSR-75 Historic Medium Density Residential	MDR-77 Medium Density Residential		
C-78W Comprehensive Community Services of the State	MSR-76 Historic Medium Density Residential	MDR-78 Medium Density Residential		
C-79W Comprehensive Community Services of the State	MSR-77 Historic Medium Density Residential	MDR-79 Medium Density Residential		
C-80W Comprehensive Community Services of the State	MSR-78 Historic Medium Density Residential	MDR-80 Medium Density Residential		
C-81W Comprehensive Community Services of the State	MSR-79 Historic Medium Density Residential	MDR-81 Medium Density Residential		
C-82W Comprehensive Community Services of the State	MSR-80 Historic Medium Density Residential	MDR-82 Medium Density Residential		
C-83W Comprehensive Community Services of the State	MSR-81 Historic Medium Density Residential	MDR-83 Medium Density Residential		
C-84W Comprehensive Community Services of the State	MSR-82 Historic Medium Density Residential	MDR-84 Medium Density Residential		
C-85W Comprehensive Community Services of the State	MSR-83 Historic Medium Density Residential	MDR-85 Medium Density Residential		
C-86W Comprehensive Community Services of the State	MSR-84 Historic Medium Density Residential	MDR-86 Medium Density Residential		
C-87W Comprehensive Community Services of the State	MSR-85 Historic Medium Density Residential	MDR-87 Medium Density Residential		
C-88W Comprehensive Community Services of the State	MSR-86 Historic Medium Density Residential	MDR-88 Medium Density Residential		
C-89W Comprehensive Community Services of the State	MSR-87 Historic Medium Density Residential	MDR-89 Medium Density Residential		
C-90W Comprehensive Community Services of the State	MSR-88 Historic Medium Density Residential	MDR-90 Medium Density Residential		
C-91W Comprehensive Community Services of the State	MSR-89 Historic Medium Density Residential	MDR-91 Medium Density Residential		
C-92W Comprehensive Community Services of the State	MSR-90 Historic Medium Density Residential	MDR-92 Medium Density Residential		
C-93W Comprehensive Community Services of the State	MSR-91 Historic Medium Density Residential	MDR-93 Medium Density Residential		
C-94W Comprehensive Community Services of the State	MSR-92 Historic Medium Density Residential	MDR-94 Medium Density Residential		
C-95W Comprehensive Community Services of the State	MSR-93 Historic Medium Density Residential	MDR-95 Medium Density Residential		
C-96W Comprehensive Community Services of the State	MSR-94 Historic Medium Density Residential	MDR-96 Medium Density Residential		
C-97W Comprehensive Community Services of the State	MSR-95 Historic Medium Density Residential	MDR-97 Medium Density Residential		
C-98W Comprehensive Community Services of the State	MSR-96 Historic Medium Density Residential	MDR-98 Medium Density Residential		
C-99W Comprehensive Community Services of the State	MSR-97 Historic Medium Density Residential	MDR-99 Medium Density Residential		
C-100W Comprehensive Community Services of the State	MSR-98 Historic Medium Density Residential	MDR-100 Medium Density Residential		

Exhibit 2

Section 6: Pursuant to Laws of Florida 2012-99, amending Florida Statute Section 163.3184(12), this Ordinance is adopted concurrently with and expressly contingent upon final approval and adoption of the City of Key West Comprehensive Plan Future Land Use Amendment for rezoning Peary Court approved for transmittal upon first reading by the City Commission on May 29, 2012 and submitted to the State of Florida Department of Economic Opportunity (DEO) on June 8, 2012.

Section 7: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

* (Coding: Added language is underlined; deleted language is struck through.)

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Section 8: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 9: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission and approval by the State Department of Community Affairs pursuant to Chapter 380, Florida Statutes.

* (Coding: Added language is underlined; deleted language is struck through.)

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Read and passed on first reading at a regular meeting held
this _____ day of _____, 2012.

Read and passed on final reading at a regular meeting held
this _____ day of _____, 2012.

Authenticated by the presiding officer and Clerk of the
Commission on _____ day of _____, 2012.

Filed with the Clerk _____, 2012.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

* (Coding: Added language is underlined; deleted language is struck through.)



Planning Board Staff Report and Package



THE CITY OF KEY WEST PLANNING BOARD

Staff Report

To: Chairman and Planning Board Members

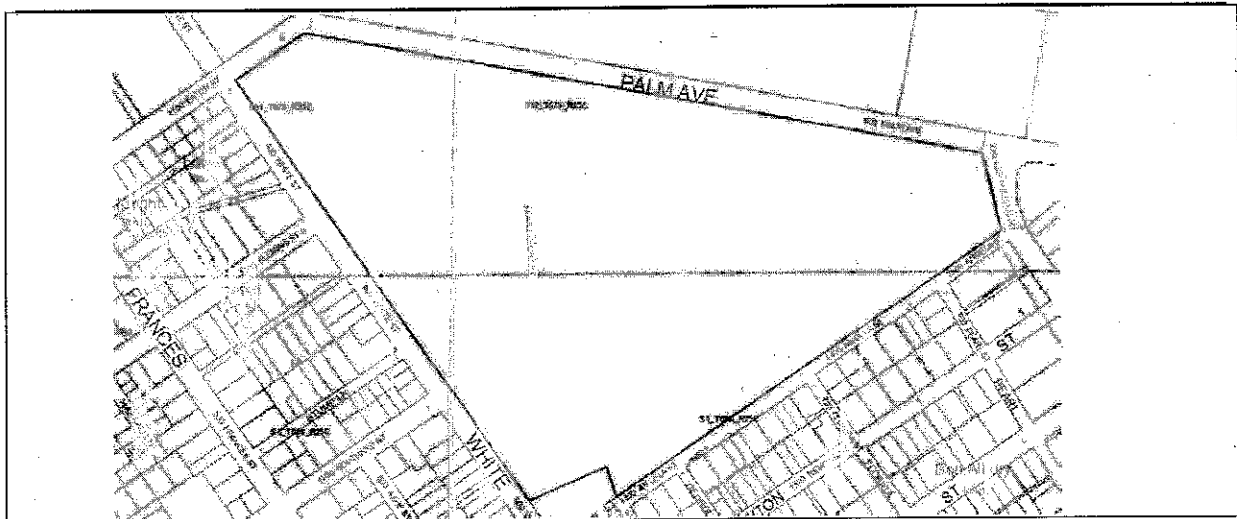
From: Nicole Malo, Planner II

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: July 19, 2012

Agenda Item: An Ordinance of the City of Key West amending the Land Development Regulations, and the Official Zoning Map for property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963) Amending the Official Zoning Map Legend; Amending Chapter 122, Article IV, to create a new Historic Special Medium Density Residential district (HSMDR), providing for permitted uses, conditional uses, prohibited uses and dimensional requirements; amending Chapter 122, Article V, providing amendments to the tables of uses and dimensional requirements for Historic Special Medium Density Residential district (HSMDR); providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Location: Peary Court Housing Complex
RE# 00006730-000000, Alternate Key# 1006963





Background

On April 6, 2011, the City was notified that the United States Navy, with its concessional housing partner, Southeast Housing, LLC, would be pursuing the sale of the property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963); and all of the structures on it, to a private entity. The property is located within a Military (M) Future Land Use designation and corresponding zoning district. Because the property is considered for sale to a non-military entity, the Future Land Use Element and Future Land Use Map (FLUM) of the City of Key West Comprehensive Plan must be amended, and the City's Land Development Regulations (LDR's) must be changed in order to include the new zoning district and update the City's Official Zoning Map.

An application for the amendments to the Comprehensive Plan was made by Southeast Housing, LLC., was heard by the Planning Board on April 19, 2012, with a recommendation for approval made to the City Commission. On May 29, 2012 City Commission approved the first reading of the ordinance to amend the Future Land Use policy for the proposed Historic Special Medium Density Residential district with a modification to policy 1-1.6.4(4) that recognizes that a portion of the existing housing stock at Peary Court contributes to the city's affordable housing stock and that a reasonable amount of the existing units be maintained as affordable (attachment 1). Subsequently, the approval was transmitted to the Florida Department of Economic Opportunity (DEO) and the State Coordinated Reviewing Agencies on June 8, 2012. The State has 60 days to respond to the City's proposed amendment.

Although the Comprehensive Plan policy amendments and the Future Land Use Designation of HSMDR have not been fully adopted, the recently enacted Laws of Florida 2012-99, amending Florida Statute Section 163.3184(12) allow municipalities to process Future Land Use Amendments and amendments to the Land Development Regulations concurrently. The rule

requires that the LDR amendment is contingent upon the approval and adoption of the Future Land Use Amendment.

In order to amend the Comprehensive Plan and LDR's for the proposed HSMDR zoning district, a data and analysis report was prepared with the following information:

- Consistency of the proposed land use amendments with the future land use element goals, objectives and policies, and those of other affected elements;
- Impacts on Hurricane Evacuation; Planning and the BPAS;
- Concurrency determination: description of availability of and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, and recreation, as appropriate;
- Tenant Rental Types and Rental Ranges in Relation to Affordable Housing;
- Construction Code/Federal Emergency Management Agency (FEMA) Flood Elevation Compliance; and
- Review of Archaeologically Sensitive Areas on the Site.

Please see the attached Data, Inventory and Analysis Report and the supporting Comprehensive Plan Objectives and Policies that provide direction for the LDR amendment (attachment 2).

Proposed Amendments and Existing Site Characteristics

The Peary Court Housing Complex consists of approximately 24.26 acres, and began phased construction in late 1993-1994. The total number of residences recognized on the property is 160; however, only 157 units are currently in existence on the property today. At the time of construction, the residences fulfilled military housing needs. However, over time, the tenant eligibility was broadened to include public sector civilians.

The property is located adjacent to the following future land use designations: Military (M) designation at Trumbo Point Annex to the north, the Historic Neighborhood Commercial Future Land Use designation along White Street to the west, the Historic Medium Density Residential (HMDR) designation to the south, the General Commercial Future Land Use designation to the east, and Public Service (PS) Future Land Use designation to the northwest and northeast. Though there are some institutional and commercial zoning districts proximate or adjacent to the property, most significant abutting land use is historic, permanent residential housing.

Based upon the Data and Analysis together with direction provided by the Future Land Use Amendment that was approved by the City Commission for transmittal to the DEO, and suggestions made by the prospective buyer, White Street Partners, LLC., on behalf of the owners, the US Navy and Southeast Housing, LLC, planning staff created the proposed Land Development Regulations that best and fairly protect existing residential development and uses on site, protect surrounding neighborhood districts and allow future redevelopment of the site. The proposed LDR's for the Historic Special Medium Density Residential (HSMDR) provide a hybrid approach that reflects the special circumstances of the existing site development with other somewhat similar, existing zoning regulations that have a history of successful implementation such as the HMDR, MDR, HPRD and PRD zoning district regulations.

Two unique regulations are proposed based on the special circumstances on the property, they include the affordability criteria and the FAR regulations. Within the Data and Analysis report is a finding that the existing housing at the Peary Court Housing Complex meets and provides affordable housing stock for the city and based on this finding the City Commission approved Future Land Use Policy 1-1.6.4 (4). Therefore staff has proposed LDR's that require affordable housing be provided for all existing residential, redeveloped residential and new residential development at a ratio of 30%. In order to further restrict development intensity on the property, and based upon Policy 1-2.3.11, the maximum floor area ratio for all development including residential is proposed not to exceed 1.0.

In addition to creating the new HSMDR zoning district with affordability regulations, permitted uses, conditional uses and dimensional requirements, the proposed amendments include modifications to the official zoning map and FLUM (Exhibit 1) and associated official zoning map legend (Exhibit 2). These changes will appear as follows:

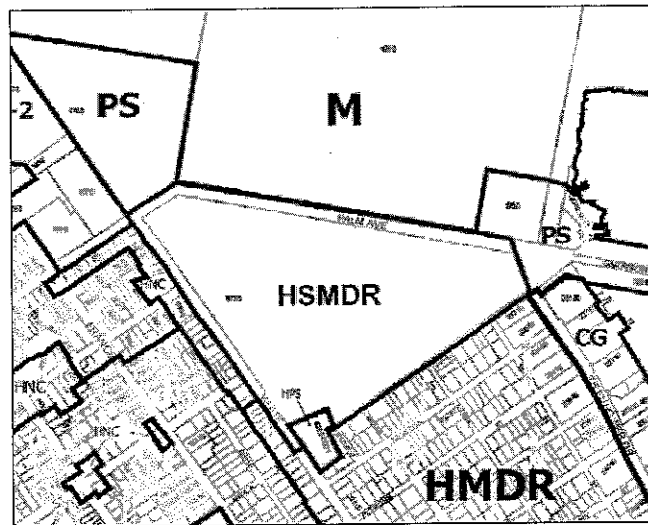


Exhibit 1

OFFICIAL ZONING MAP OF THE CITY OF KEY WEST, FLORIDA			
LEGEND		Zoning definitions based on Future Land Use Map (FLUM): Original map created by D. Shivers Stewart with the City of Key West Planning Department dated 1993. 1999 Revisions provided by the City of Key West Planning Department. FLUM adopted as zoning map by ordinance 67-10, July 3, 1997. 2004 Revisions provided by the City of Key West Planning Department based on ordinance 36-18, 13-14, and 13-04. Zoning map created by the Monroe County Property Appraiser. Plat map updated on: June 24, 2004 Plat prepared on: December 14, 2004 THIS ZONING MAP IS A PUBLIC RECORD AND IS THE PROPERTY OF THE MONROE COUNTY PROPERTY APPRAISER. IT IS TO BE KEPT IN THE OFFICE OF THE PROPERTY APPRAISER AND THE OFFICE OF THE CITY OF KEY WEST. IT IS TO BE KEPT IN THE OFFICE OF THE PROPERTY APPRAISER AND THE OFFICE OF THE CITY OF KEY WEST. IT IS TO BE KEPT IN THE OFFICE OF THE PROPERTY APPRAISER AND THE OFFICE OF THE CITY OF KEY WEST.	
A	APC	HSMDR	HSMDR
C-1W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-2W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-3W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-4W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-5W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-6W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-7W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-8W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-9W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-10W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-11W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-12W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-13W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-14W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-15W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-16W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-17W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-18W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-19W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-20W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-21W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-22W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-23W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-24W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-25W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-26W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-27W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-28W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-29W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-30W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-31W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-32W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-33W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-34W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-35W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-36W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-37W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-38W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-39W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-40W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-41W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-42W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-43W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-44W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-45W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-46W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-47W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-48W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-49W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-50W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-51W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-52W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-53W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-54W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-55W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-56W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-57W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-58W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-59W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-60W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-61W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-62W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-63W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-64W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-65W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-66W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-67W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-68W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-69W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-70W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-71W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-72W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-73W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-74W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-75W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-76W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-77W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-78W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-79W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-80W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-81W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-82W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-83W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-84W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-85W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-86W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-87W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-88W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-89W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-90W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-91W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-92W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-93W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-94W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-95W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-96W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-97W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-98W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-99W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential
C-100W	Community Residential Medium Density	HSMDR (1 - 3)	Historic Medium Density Residential

Exhibit 2

Until such time as the new LDR's for HSMDR are adopted and in place, the regulatory scheme of the Zoning in Progress will remain in force (attachment 3). That set of administrative directions to the property owner, whomever that may be, and the city staff is to allow the maintenance and replacement (if destroyed by accident or Act of God) of the existing residential and commercial structures in kind, type, density and intensity, but with no ability to process

applications for development agreements, variances, exception, development plans or conditional uses. The present LDR Amendment process, when complete will be the final step of the rezoning of the property, which will then allow redevelopment of the property in conformance with the LDR's.

Review Criteria

Section 90-522 of the Code outlines key review criteria for any changes to the Land Development Regulations. A review of the proposed ordinance relative to the criteria is provided below.

Sec. 90-522. Planning Board review of proposed changes in land development regulations.

(a) The planning board, regardless of the source of the proposed change in the land development regulations, shall hold a public hearing thereon with due public notice. The planning board shall consider recommendations of the city planner, city attorney, building official and other information submitted at the scheduled public hearing. The planning board shall transmit a written report and recommendation concerning the proposed change of zoning to the city commission for official action. In its deliberations the planning board shall consider the criteria stated in section 90-521.

The City Attorney's Office and City Planner have worked together to research and review the proposed Land Development Regulations for the new zoning district HSMDR. On July 15, 2011 at a publicly held Planning Board Meeting the Planning Director presented a report of the Peary Court Rezoning Process (attachment 4) and a Data and Analysis Report was prepared in support of procedural review criteria in the Code and for Planning Board consideration.

Sec. 90-521. Criteria for approving amendments to official zoning map.

In evaluating proposed changes to the official zoning map, the city shall consider the following criteria:

(1) *Consistency with plan.* Whether the proposal is consistent with the comprehensive plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

The proposed Land Development Regulations for the new HSMDR zoning district and zoning map changes are consistent with related Goals, Objectives and Policies in the Comprehensive Plan. The Peary Court Data and Analysis Report further addresses this question.

Adequate public facilities are available to provide service to the development. The proposed Official Zoning Map Amendment of HSMDR is being considered as a result of the anticipated disposition of the military property, and does not provide for more intense development impacts than the existing site conditions. Please see the attached the Peary Court Data and Analysis Report for additional information.

(2) *Conformance with requirements.* Whether the proposal is in conformance with all applicable requirements of the Code of Ordinances.

The proposed ordinances are in conformance with the Code and the procedures for amending the Land Development Regulations. The standards, regulations and procedures proposed for the HSMDR district are consistent with and not in conflict with other parts of the Code of Ordinances.

(3) *Changed conditions.* Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed rezoning.

Because the property has been owned by the US Navy there are no existing zoning regulations for the property that affect the new zoning proposed.

(4) *Land use compatibility.* Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved.

The proposed Land Development Regulations permit limited residential uses and associated accessory uses as of right. Other customary land uses found in residential districts such as parks and recreation, parking lots, educational institutions and nurseries, utilities and cultural activities have been determined to be higher impact uses are only allowed conditionally and therefore, must obtain Planning Board approval to determine land use compatibility. Therefore, the proposed LDR's are compatible with surrounding land uses.

(5) *Adequate public facilities.* Whether, and the extent to which, the proposal would result in demands on public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services. Rezoning does not constitute a concurrency determination, and the applicant will be required to obtain a concurrency determination pursuant to chapter 94.

The proposed zoning district regulations are intended to limit the impacts of uses allowed on the site. The proposed amendments will not result in development that creates excessive demands on public facilities and the existing facilities are consistent with concurrency management requirements. The Data and Analysis Report prepared serves as the concurrency determination for existing development; however, all applications for future development will have to comply with concurrency standards.

(6) *Natural environment.* Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetlands protection, preservation of groundwater aquifer, wildlife habitats, and vegetative communities.

The site proposed for rezoning is not considered environmentally sensitive or currently zoned as conservation land. The proposed zoning regulations have no impact on the natural environment; however, any future development projects will be required to attain necessary environmental permitting and comply with mitigation requirements.

(7) *Economic effects.* Whether, and the extent to which, the proposal would adversely affect the property values in the area or the general welfare.

The proposed LDR's are intended to protect the surrounding property values and general welfare of the city and only permits the types of residential uses that exist on the site today as of right.

(8) *Orderly development.* Whether the proposal would result in an orderly and compatible land use pattern. Any negative effects on such pattern shall be identified.

The proposed LDR's will support an orderly and compatible land use pattern consistent with that which are currently existing. Further the LDR's proposed reflect a hybrid of existing district regulations with in the city to account for the special situations encountered at Peary Court.

(9) *Public interest; enabling act.* Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and interest of the land development regulations in this subpart B and the enabling legislation.

The proposed dimensional requirements reflect the existing land use patterns in other similar and adjacent residential districts within the city and compels new construction to be compatible with the surrounding Historic District. The proposed permitted and conditional uses are intended to be low impact and or accessory to the residential uses and are not in conflict with surrounding neighborhood residential uses or existing surrounding commercial development. The proposed LDR's are expected to help protect the greater public interest and will further the intent of the Comprehensive Plan and Land Development Regulations.

(10) *Other matters.* Other matters which the Planning Board and the City Commission may deem appropriate.

Other matters have not been identified at this time.

In summary, the zoning regulations contained in the proposed Ordinance are as follows:

Density	8 dwelling units per acre
FAR	1.0
Height	30 feet
Permitted Uses	Single family dwellings; Multifamily dwellings; Accessory Uses and structures; Approved home occupations.
Conditional Uses	Community centers clubs and lodges accessory to residential uses; Cultural and civic activities; Parks and recreation active and passive; Public and private utilities; Parking lots and facilities; Educational institutions and daycare facilities.

Setbacks	Front: Side: Rear: Street Side:
Lot Coverage	Building Coverage: 40% Impervious surface: 60%
Lot Size	5,000 square feet Width: 50 feet Depth: 100 feet
Architectural Review	HARC Staff review for redevelopment and new development to ensure compatibility

Recommendation: Planning Staff recommends the Planning Board forward to the City Commission a recommendation of approval of the ordinance amending the Official Zoning Map Legend; Amending Chapter 122, Article IV, to create a new Historic Special Medium Density Residential district (HSMDR) amending Chapter 122, Article V, providing amendments to the tables of uses and dimensional requirements for Historic Special Medium Density Residential district (HSMDR) of the Land Development Regulations.

Verification / Authorization

Balfour Beatty Communities

Southeast Housing LLC

10 Campus Boulevard ■ Newtown Square, PA 19073 ■ 610.355.8100 ■ bbcgrp.com

April 20, 2012

Donald Craig, Planning Director
City of Key West
City of Key West
P.O. Box 1409
Key West, FL 33040

RE: Peary Court-Key West

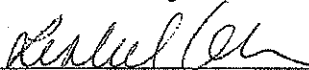
Dear Mr. Craig:

I write to you as Senior Vice President and General Counsel for Balfour Beatty Communities, LLC, which, through its wholly-owned subsidiaries, serves as the managing member of Southeast Housing, LLC, the owner of the privatized military housing units at Peary Court. As you know, the United States of America acting by and through the Department of the Navy, as fee simple owner of the land, has previously designated Southeast Housing, LLC as its agent to work with the City of Key West in connection with the sale of Peary Court. As you have been advised by our local attorney, White Street Partners, LLC (White Street), is under contract to purchase the Peary Court property in Key West. As the contract purchaser, White Street intends to actively participate with the re-zoning of the property, as well as moving forward with a proposed Development Agreement, the draft of which you recently received. We continue to appreciate your cooperation and respectfully request that your courtesies be extended to White Street Partners. This letter should satisfy any concerns you may have with respect to working with White Street as our contract purchaser.

As a party under contract, White Street may pursue a Development Agreement, but until and unless there is a closing, they will not be able to formally bind Southeast Housing, LLC, Balfour Beatty Communities, LLC or the Department of the Navy. The sellers will cooperate and execute verification forms as may be required as the process moves forward.

Please call me with any further questions or concerns.

Sincerely yours,
SOUTHEAST HOUSING, LLC
By: BBC Military Housing-Navy Southeast LLC,
its managing member
By: Balfour Beatty Military Housing Investments
LLC, its manager



LESLIE S. COHN

Senior Vice President and General Counsel

Donald Craig, Planning Director
Friday, April 20, 2012
Page 2

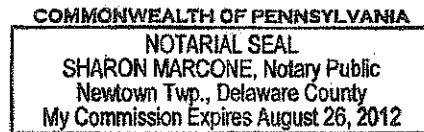
BEFORE ME, personally appeared Leslie S. Cohn, Senior Vice President and General Counsel for Balfour Beatty Communities, LLC, who stated that she had read the foregoing letter to Don Craig dated April 20th, 2012 and that the contents thereof are true and correct to the best of her knowledge and belief.

SWORN TO AND SUBSCRIBED before me this 20th day of April, 2012.


NOTARY PUBLIC – Commonwealth of Pennsylvania

(SEAL)

Cc: City of Key West Mayor
City Commissioners City of Key West
Planning Board Members
White St Partners, LLC
David Paul Horan, Esq.



Property Ownership Affidavit

Date: 10/13/11

City of Key West Planning Board
Post Office Box 1409
Key West Florida 33041-1409

Re: Ownership Certification

Greetings:

I certify the United States of America, Department of the Navy, is the owner of the property described in the attached legal descriptions; **Exhibit 1** in connection with filing application(s) for the Peary Court and Ancillary parcels; situated in Township 67, Range 25, Section 31; Township 67, Range 25, Section 32; Township 68, Range 25, Section 06; and Township 68, Range 25, Section 05; City of Key West; submitted to the City of Key West Planning Board.

By: Jana L. Hubner

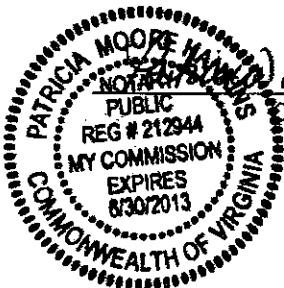
Printed Name: Jana L. Hubner

Title: NAVFAC Atlantic PPO Director

Date: 10/13/11

STATE OF VIRGINIA
CITY OF NORFOLK

The foregoing affidavit was sworn and subscribed before me this 13th day of OCTOBER (month), 2011 (year) by JANA L. HUBNER who is personally known to me or has produced U.S. GOVERNMENT ID as identification.



Patricia Moore

(Notary Signature)

Agent Authorization

Date: 10/13/11

City of Key West Planning Board
Post Office Box 1409
Key West Florida 33041-1409

Re: Agent Authorization for the following site location:

Peary Court and Ancillary Parcels; situated in Township 67, Range 25, Section 31; Township 67, Range 25, Section 32; Township 68, Range 25, Section 06; and Township 68, Range 25, Section 05; City of Key West

Greetings:

You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. Said owner hereby authorizes and empowers Southeast Housing LLC to act as agent for the United States of America, Department of the Navy, for the above referenced property in connection with such authorization to file application(s), papers, documents, requests and other matters necessary to request land use and zoning classification changes.

By: Jana L Hubner

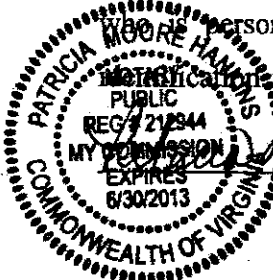
Printed Name: Jana L. Hubner

Title: NAVFAC Atlantic PPU Director

Date: 10/13/11

STATE OF VIRGINIA
CITY OF NORFOLK

The foregoing affidavit was sworn and subscribed before me this 13th day of October (month), 2011 (year) by JANA L. HUBNER,
personally known to me or has produced U.S. GOVERNMENT ID as



Patricia Moore
(Notary Signature)

Property Appraiser Information

Karl D. Borglum
Property Appraiser
Monroe County, Florida

Key West (305) 292-3420
Marathon (305) 289-2550
Plantation Key (305) 852-7130

Property Record Card

Alternate Key: 1006963 Parcel ID: 00006730-000000

Website tested on
Internet Explorer.
Requires Adobe Flash
10.3 or higher

Ownership Details

Mailing Address:
UNITED STATES OF AMERICA
ATLANTA, GA 30345

Property Details

PC Code: 80 - VACANT GOVERNMENTAL
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 32-67-25
Property Location: VACANT LAND 400 WHITE ST KEY WEST
Legal Description: KW ALL SQRS 29-30-42-43-53-54 W COR TR 7 ALL TR 8 ARMY BARRACKS B47-183-396 G6-277-278 A4-446 RR-94 OR432-317-318

Show Parcel Map - Must have Adobe Flash Player 10.3 or higher

Exemptions

Exemption	Amount
17 - FEDERAL GOVT	21,911,890.00

Land Details

Land Use Code	Frontage	Depth	Land Area
100E - COMMERCIAL EXEMPT	0	0	1,213,581.60 SF

Appraiser Notes

TPP 9007516 - RYAN SMITH'S CAR AUDIO

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2011	0	0	29,293,433	29,293,433	19,919,900	29,293,433	0
2010	0	0	18,109,000	18,109,000	18,109,000	18,109,000	0
2009	0	0	21,842,240	21,842,240	21,842,240	21,842,240	0
2008	0	0	21,842,240	21,842,240	21,842,240	21,842,240	0
2007	0	0	21,842,240	21,842,240	21,842,240	21,842,240	0
2006	0	0	48,543,264	27,573,750	27,573,750	27,573,750	0
2005	0	0	48,543,264	27,573,750	27,573,750	27,573,750	0
2004	0	0	48,543,264	27,573,750	27,573,750	27,573,750	0
2003	0	0	22,451,260	27,573,750	27,573,750	27,573,750	0
2002	0	0	21,232,663	27,573,750	27,573,750	27,573,750	0
2001	0	0	21,232,663	27,573,750	27,573,750	27,573,750	0
2000	0	0	21,232,663	27,573,750	27,573,750	27,573,750	0
1999	0	0	21,834,738	27,573,750	27,573,750	27,573,750	0
1998	0	0	21,834,738	27,573,750	27,573,750	27,573,750	0
1997	0	235,000	19,338,750	27,573,750	27,573,750	27,573,750	0
1996	0	235,000	19,338,750	27,573,750	27,573,750	27,573,750	0
1995	0	235,000	19,338,750	19,573,750	19,573,750	19,573,750	0
1994	0	235,000	19,338,750	19,573,750	19,573,750	19,573,750	0
1993	0	235,000	19,338,750	19,573,750	19,573,750	19,573,750	0
1992	0	235,000	19,338,750	19,573,750	19,573,750	19,573,750	0
1991	0	235,000	19,338,750	19,573,750	19,573,750	19,573,750	0
1990	0	235,000	8,595,000	8,830,000	8,830,000	8,830,000	0
1989	0	235,000	8,595,000	8,830,000	8,830,000	8,830,000	0
1988	0	235,000	8,595,000	8,830,000	8,830,000	8,830,000	0
1987	0	235,000	2,251,852	2,486,852	2,486,852	2,486,852	0
1986	0	235,000	2,251,852	2,486,852	2,486,852	2,486,852	0
1985	0	235,000	2,251,852	2,486,852	2,486,852	2,486,852	0
1984	0	235,000	2,251,852	2,486,852	2,486,852	2,486,852	0
1983	0	235,000	2,251,852	2,486,852	2,486,852	2,486,852	0
1982	0	235,000	2,251,852	2,486,852	2,486,852	2,486,852	0

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

There are no sales to display for this parcel.

This page has been visited 121,014 times.

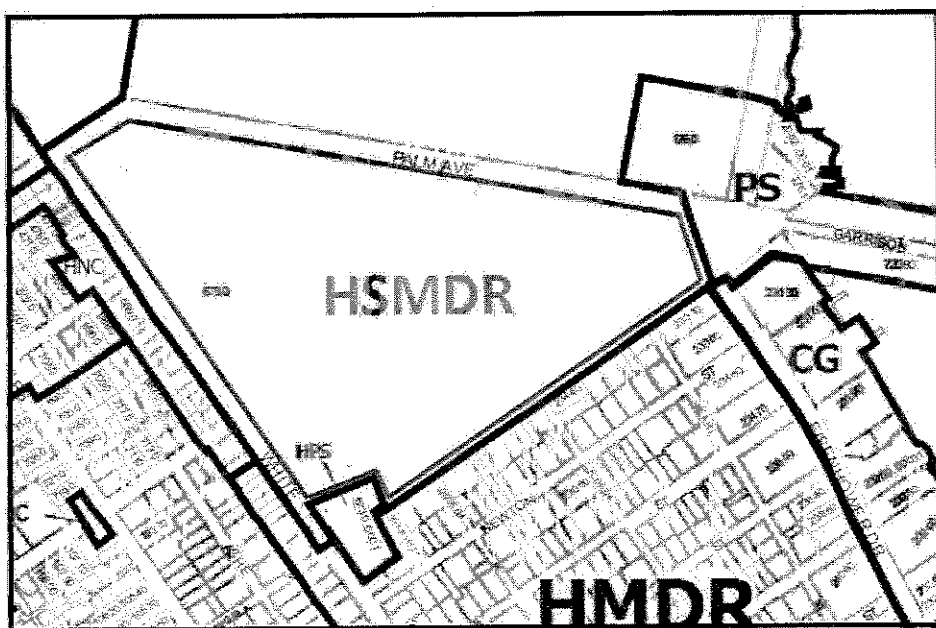
Monroe County Property Appraiser
Karl D. Borglum

Public Notices
(radius map & mailing list)

NOTICE OF PUBLIC HEARING ON PROPOSED ORDINANCE

The Planning Board of the City of Key West, Florida, will consider the following ordinance for recommendation to the City Commission at a meeting and public hearing to be held at 6:00 p.m., or as soon thereafter as the matter may be heard, Thursday, July 19, 2012, in Commission Chambers, Old City Hall, 510 Greene Street, Key West, Florida.

HSMDR ZONING DISTRICT ORDINANCE - AN ORDINANCE OF THE CITY OF KEY WEST AMENDING THE LAND DEVELOPMENT REGULATIONS, AND THE OFFICIAL ZONING MAP FOR PROPERTY KNOWN AS THE PEARY COURT HOUSING COMPLEX (RE# 00006730-000000, ALTERNATE KEY# 1006963) AMENDING THE OFFICIAL ZONING MAP LEGEND; AMENDING CHAPTER 122, ARTICLE IV, TO CREATE A NEW HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT (HSMDR), PROVIDING FOR PERMITTED USES, CONDITIONAL USES, PROHIBITED USES AND DIMENSIONAL REQUIREMENTS; AMENDING CHAPTER 122, ARTICLE V, PROVIDING AMENDMENTS TO THE TABLES OF USES AND DIMENSIONAL REQUIREMENTS FOR HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL DISTRICT (HSMDR); PROVIDING FOR CONCURRENT AND CONDITIONAL ADOPTION UPON ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.



This proposed ordinance may be read in its entirety at the Planning Department Office in City Hall (3140 Flagler Avenue), Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M. Any interested parties may appear at the meeting/hearing noted above and be heard by the Planning Board with respect to the proposed ordinance.

Pursuant to F. S. 286.0105, notice is given that if a person decides to appeal any decision made by the Planning Board with respect to any matter considered at such meeting or hearing, that person will need a record of the proceedings, and that, for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon

which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

LeSmith for Don Craig

Donald Leland Craig, AICP

Planning Director

City of Key West Acct# 000173

Publish: Sunday, July 8, 2012

P.O. #70087

Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 p.m., July 19, 2012 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

HSMDR Zoning District Ordinance - An Ordinance of the City of Key West amending the Land Development Regulations, and the Official Zoning Map for property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963) Amending the Official Zoning Map Legend; Amending Chapter 122, Article IV, to create a new Historic Special Medium Density Residential district (HSMDR), providing for permitted uses, conditional uses, prohibited uses and dimensional requirements; amending Chapter 122, Article V, providing amendments to the tables of uses and dimensional requirements for Historic Special Medium Density Residential district (HSMDR); providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at www.keywestcity.com.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: **HSMDR Zoning District Ordinance** - An Ordinance of the City of Key West amending the Land Development Regulations, and the Official Zoning Map for property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963) Amending the Official Zoning Map Legend; Amending Chapter 122, Article IV, to create a new Historic Special Medium Density Residential district (HSMDR), providing for permitted uses, conditional uses, prohibited uses and dimensional requirements; amending Chapter 122, Article V, providing amendments to the tables of uses and dimensional requirements for Historic Special Medium Density Residential district (HSMDR); providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Project Location: Peary Court Housing Complex **Date of Hearing:** Thursday, July 19, 2012

Time of Hearing: 6:00 PM **Location of Hearing:** Old City Hall, 510 Greene, City Commission Chambers

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Carlene Smith at cesmith@keywestcity.com .

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

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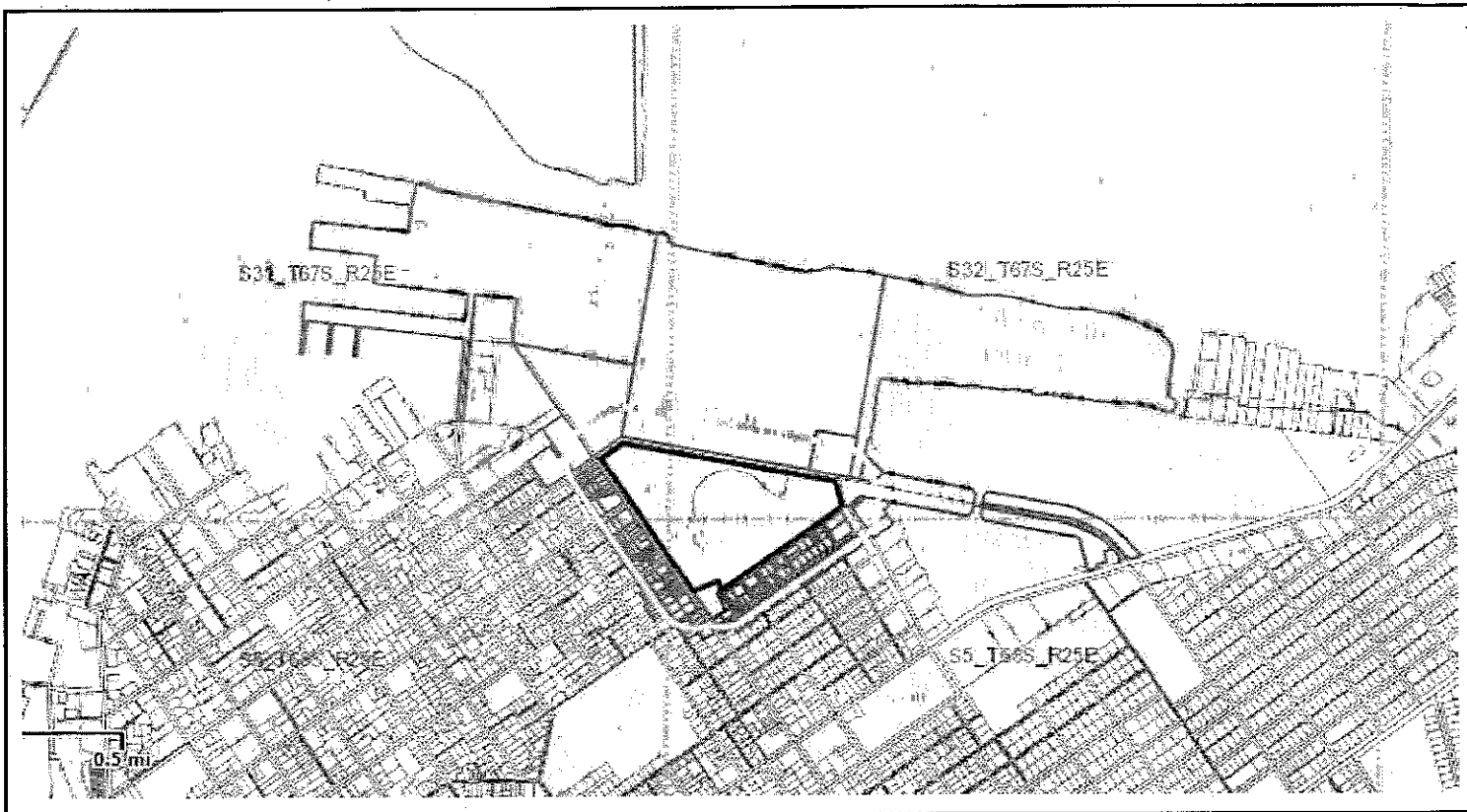
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Monroe County, Florida

Peary Ct

Printed: Jul 03, 2012

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



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Planning Board Meeting

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Peary Court
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NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
1 BERGERON CHARLES	216 BALLANTYNE AVE N		MONTREAL	QUEBEC	H4X 2C2	CANADA
2 COLLINS GEORGE E AND MARKETA	RIMSKA 10		PRAGUE 2	120 00	CZECH REPUBLIC	
3 BERGERY BENJAMIN	29 BIS RUE BOURET		PARIS		F75019	FRANCE
4 JACOBSON CHRISTOPHER N	618 WHITE ST		KEY WEST	FL	33040	
5 SEMICH J WILLIAM	915 JOHNSON ST		KEY WEST	FL	33040-4745	
6 MYERS LAWRENCE R AND BROOKE DECAMP	1870 WYOMING AVE		WASHINGTON	DC	20009	
7 RUDOLPHI ROSEANNE	14 WALNUT DR		SHOREHAM	NY	11786	
8 KERRY ALECIA JUNE	540 WHITE ST		KEY WEST	FL	33040-7169	
9 MATHEWS DEVELOPMENT CO INC	3320 W HIGHWAY 30-A		SANTA ROSA BEACH	FL	32459	
10 FABISIEWICZ WALTER AND LOUISE LIV TR 12/2/2010	700 WHITE ST		KEY WEST	FL	33040-7155	
11 DAY EDNA L L/E	1300 ANGELA ST		KEY WEST	FL	33040	
12 WASSYLENKO PETER M	1305 NEWTON ST		KEY WEST	FL	33040	
13 STUBBLEFIELD JOY L	D-7 10TH AVE		KEY WEST	FL	33040	
14 KING KENNETH MARSHALL	1216 ANGELA ST		KEY WEST	FL	33040	
15 ROBERTS KEITH AND JUDY	5500 BAVARIAN LN		KEY WEST	FL	33040	
16 ARITAS JOSEPH ESTATE	518 WHITE ST		WILMINGTON	NC	28405-1002	
17 SCHETTIG ROBERT C AND CELESTE M	609 FRANCES ST		KEY WEST	FL	33040	
18 STATE OF FLORIDA	811 PALM AVE		KEY WEST	FL	33040	
19 SHELTON CALEDON J	1117 FLEMING ST		KEY WEST	FL	33040	
20 HILDENBOROUGH HOTELS LIMITED INC	1129 FLEMING ST		KEY WEST	FL	33040-6997	
21 JANICKI STANISLAW K	1413 6TH ST		KEY WEST	FL	33040	
22 J-LEX PROPERTIES, LLC	9026 S RIDGE RD		PLAINFIELD	IL	60586	
23 AVILA BARBARA	522 WHITE ST		KEY WEST	FL	33040-7170	
24 PADGET-DEKKER HOLDINGS LTD	611 FRANCES ST		KEY WEST	FL	33040	
25 BLIVES YAKOV	1 BAY DR		KEY WEST	FL	33040	
26 KEYS PARADISE HOLDINGS LLC	1824 FLAGLER AVE	UNIT 179	KEY WEST	FL	33040	
27 HOWE STEPHANIE	914 PACKER ST APT 2		KEY WEST	FL	33040-6435	
28 ROHRSCHEIDER JANE	1306 ANGELA ST		KEY WEST	FL	33040	
29 LUNDBERG DARLENE A	8939 POLK AVE		JACKSONVILLE	FL	32208-2346	
30 RICH DONALD T REV TRUST U/D DTD 12/12/06	919 N RIVER RD		MCHENRY	IL	60051	
31 KNOWLES ELLA MAE L/E	1112 EATON ST		KEY WEST	FL	33040-6927	
32 WEYMOUTH LISA A	P O BOX 791249		PAIA	HI	96779	
33 GRIFFITH RICHARD P LIVING TRUST 8/29/95	717 FLEMING ST		KEY WEST	FL	33040	
34 ELLIS CHRISTOPHER GERARD AND MICHELLE LYNN	612 WHITE ST		KEY WEST	FL	33040-7153	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
35 JANSEN CHRISTINE E	1000 WEST AVE APT 1424		MIAMI BEACH	FL	33139-4729	
36 BERMAN ANDREW N AND LINDA C	716 ELIZABETH ST		KEY WEST	FL	33040-6402	
37 MALLOY KEVIN P AND HOLLY J	614 WHITE ST		KEY WEST	FL	33040	
38 WOOD JOHN E REV TRUST 9/30/99	1617 RIGGS PL NW		WASHINGTON	DC	20009	
39 AKERS ROGER W	HCR 62 BOX 42		RATON	NM	87740	
40 HOUSING AUTHORITY OF THE CITY OF KEY WEST	1400 KENNEDY DR STE A		KEY WEST	FL	33040-4055	
41 GLASSER MARC AND HEIDI	700 PEARL ST		KEY WEST	FL	33040-7034	
42 KRABILL MELISSA D	1415 NEWTON ST		KEY WEST	FL	33040	
43 PREYSLER JULIO JOSE IGLESIAS	3127 SHERIDAN AVE		MIAMI BEACH	FL	33140-3945	
44 THE ARTISTS RESIDENCIES AT KEY WEST INC	600 WHITE ST		KEY WEST	FL	33040-7153	
45 LUONGO EILEEN	8300 SW 44 CT		DAVIE	FL	33328	
46 SIRIUS JACK INVESTMENTS LLC	6970 MANASOTA KEY RD		ENGLEWOOD	FL	34223-9268	
47 WUNSCH RICHARD E	3516 17TH TER		KEY WEST	FL	33040	
48 LEROY VIVE A	1107 KEY PLAZA	PMB 332	KEY WEST	FL	33040	
49 WHITMAN DOUGLAS F REVOCABLE TRUST 7/6/2001	1317 NEWTON ST		KEY WEST	FL	33040-7025	
50 KANE DANIEL M	354 SUGARTOWN RD		DEVON	PA	19333-1384	
51 APPELLIS MICHEL	1414 NEWTON ST		KEY WEST	FL	33040	
52 SONI AND SONS LIMITED PARTNERSHIP	1425 LAKE FRONT CIRCLE	STE 100	THE WOODLAND TX	TX	77380	
53 HENSON AGNES G L/E	1415 ATLANTIC BLVD		KEY WEST	FL	33040	
54 MCNALLY TERENCE	29 E 9TH ST		NEW YORK	NY	10003	
55 WELCH DONALD P AND KATHERINE K	524 WHITE ST		KEY WEST	FL	33040-7170	
56 WEITZEN ELAINE G	130 1/2 E 65TH ST		NEW YORK	NY	10065-7067	
57 UNION CROSSING REALTY TRUST	PO BOX 1990		NORTH FALMOUTH MA	MA	02556-1990	
58 SCHETTIG ROBERT C AND CELESTE M	609 FRANCES ST		KEY WEST	FL	33040	
59 LEVIN JAY J	5516 PUTNAM DR		WEST BLOOMFIELD	MI	48323-3720	
60 BAUMGARTNER EDWARD L	615 ASHE ST		KEY WEST	FL	33040	
61 LANE WILLIAM T	1122 ANGELA ST		KEY WEST	FL	33040	
62 GINGRAS GARY E	203 LOUDON RD		KEY WEST	FL	33040	
63 MOEN TRUST 4/23/02	718 EISENHOWER DR	APT 122	CONCORD	NH	03301-6043	
64 ENDERBY RALPH T	257 NW 87TH TERR		KEY WEST	FL	33040	
65 BALDWIN MAUREEN K TRUST	60 CANNEY RD		CORAL SPRINGS FL	FL	33071	
66 CASAS DIANA G L/E	1315 NEWTON ST		DURHAM	NH	03824	
67 JACKSON THOMAS A AND DEBORAH ANN	620 ASHE ST		KEY WEST	FL	33040-7025	
68 SHIELD LINDA M DEC OF TRUST	1414 ANGELA ST		KEY WEST	FL	33040-7111	
			KEY WEST	FL	33040	

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NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
69 OLEKSAS MARGARET	420 GULF BLVD		INDIAN ROCKS B FL	FL	33785	
70 SIEMON DOUGLAS	P O BOX 420228		SUMMERLAND KIFL	FL	33042	
71 ISLAND TRANQUILITY INC	711 EISENHOWER DR		KEY WEST	FL	33040	
72 HOLMES RONALD	7953 FORD RIDGE RD		NINEVEH	IN	46164	
73 LYNCH BEVERLY J	1410 NEWTON ST		KEY WEST	FL	33040	
74 LATHAN DYANNE F	PO BOX 5059		KEY WEST	FL	33045-5059	
75 PARK CHARLES I JR DEC TRUST 3/22/1999	1300 NEWTON ST		KEY WEST	FL	33040	
76 COIRA STANLEY MD TRUST AGR 4/23/2001	4140 BONITA AVE		MIAMI	FL	33133-6339	
77 HENDERSON JOHN E AND NANCY P	809 OAK TER		POINT PLEASANT NJ	NJ	08742	
78 GRAY DONALD D AND JACQUELINE M	1405 NEWTON ST		KEY WEST	FL	33040	
79 COOK KAREN M	703 FLORIDA ST		KEY WEST	FL	33040-7016	
80 COLL DANIEL A	114 CUTTHROAT DR		SUMMERLAND KIFL	FL	33042-4223	
81 SAUNDERS ANDREW W JR AND HELEN	911 TRINITY DR		KEY WEST	FL	33040	
82 VAN STEELANDT NAOMI R	916 CENTER ST		KEY WEST	FL	33040	
83 AULL KEVIN J AND MELISSA K	711 GEORGIA ST		KEY WEST	FL	33040-7002	
84 LEVIN ARTHUR M	1318 ANGELA ST		KEY WEST	FL	33040	
85 SONGER MARK E AND LOIS P	1310 NEWTON ST		KEY WEST	FL	33040	
86 610 WHITE STREET LLC	1015 FLAGLER AVE		KEY WEST	FL	33040-4815	
87 CARMACK WILLIAM L AND MARYANN S	1221 NEWTON ST		KEY WEST	FL	33040	
88 WEGMAN TIMOTHY G	702 PEARL ST		KEY WEST	FL	33040	
89 DUNN LEE H AND THARON S	P O BOX 1846		NANTUCKET	MA	02554	
90 VALDEZ JOSE R	2604 SEIDENBERG AVE		KEY WEST	FL	33040	
91 KEY WEST LODGE NO 1760	700 EISENHOWER		KEY WEST	FL	33040	
92 JACOBSON JEROME	3247 COUNTY ROUTE 15		PULASKI	NY	13142-2260	
93 BURRUSS CAROLYN S AND WILLIAM F JR	P O BOX 981		KEY WEST	FL	33041	
94 HINCHCLIFFE STEPHEN M	109 KEY HAVEN RD		KEY WEST	FL	33040	
95 BURD RONALD P AND JOYCE W	710 HARVARD RD		BALA CYNWYD	PA	19004	
96 TORRES ORLANDO FRANCISCO	1112 CURRY LN		KEY WEST	FL	33040	
97 TORRES REAL ESTATE LLC	1118 FLEMING ST		KEY WEST	FL	33040	
98 SEACRIST ROGER D	1203 NEWTON ST	UNIT 4	KEY WEST	FL	33040	
99 BURY CATHERINE J	175 W 93RD ST APT 11C		NEW YORK	NY	10025-9335	
100 STEINKAMP WYNN RAYMOND	1205 NEWTON ST APT 2		KEY WEST	FL	33040-7067	
101 BORN GEORGE W	14 ARLINGTON ST APT 2		SOMERVILLE	MA	02145-3319	
102 HOLDEN BRIAN J	1309 NEWTON ST		KEY WEST	FL	33040	

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NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
103 CHRISTATOS MICHAEL AND LESLIE A	1324 NEWTON ST		KEY WEST	FL	33040	
104 FELDMAN DONNA A	1418 ANGELA ST		KEY WEST	FL	33040	
105 GRIFFITH RICHARD TRUSTEE	717 FLEMING STREET		KEY WEST	FL	33040	
106 BAUER ANDREA W	1400 NEWTON ST		KEY WEST	FL	33040	
107 SFI OF THE KEYS INC	P O BOX 1199		KEY WEST	FL	33041	
108 DAVIS ELIZABETH	1121 ELGIN LN		KEY WEST	FL	33040	
109 KENDRICK MELISSA	P O BOX 6391		KEY WEST	FL	33041	
110 STICKNEY CLYDE P JR	33 BLACK HICKORY WAY		ORMOND BEACH	FL	32174-5705	
111 POPOVICE MICHAEL	1119 SOUTHARD ST		KEY WEST	FL	33040-7146	
112 FRIEND KELLY J	1220 NEWTON ST APT 1		KEY WEST	FL	33040-7038	
113 MATTSON WILLIAM LOWELL	PO BOX 4873		KEY WEST	FL	33041-4873	
114 NILES FAMILY LIVING TRUST 10/28/2002	4768 CAPE MAY AVE		SAN DIEGO	CA	92107	
115 STRUNK ACE HARDWARE INC	PO BOX 1199		KEY WEST	FL	33041-1199	
116 HOUSING AUTHORITY KEY WEST	1400 KENNEDY DR		KEY WEST	FL	33040	
117 PHILLIPS JEFFREY W	PO BOX 910		SAUGATUCK	MI	49453	
118 ADAMS MARTHA L REV TRUST 06/20/2003	PO BOX 4122		KEY WEST	FL	33040	
119 ZEMLICKA RONALD L	1419 NEWTON ST		KEY WEST	FL	33040	
120 COUGHLIN ENTERPRISE LLC	P O BOX 1548		KEY WEST	FL	33041-1548	
121 DAMBROSIO JOSEPH M AND NELLA	1301 NEWTON ST		KEY WEST	FL	33040-7025	
122 OFFICERS QUARTERS CONDOMINIUM	715 WHITE ST		KEY WEST	FL	33040	
123 SHEEDY ROBERT M	1220 NEWTON ST	UNIT 4	KEY WEST	FL	33040	
124 SHEEDY ROBERT M	1220 NEWTON ST	UNIT 5	KEY WEST	FL	33040	
125 HSBC BANK NA	2691 E OAKLAND PARK BLVD	STE 303	FORT LAUDERDALE	FL	33306	
126 NEWTON STREET CONDOMINIUM	1220 NEWTON ST		KEY WEST	FL	33040	
127 ADAMS MARTHA L	PO BOX 4122		KEY WEST	FL	33041	
128 SORENSEN SERENA	1203 NEWTON ST APT 2		KEY WEST	FL	33040-7069	
129 LANGAN ELIZABETH	1203 NEWTON ST	UNIT 1	KEY WEST	FL	33040	
130 WILLISON MALCOM R & HUGGINS MARTHA D	2101 BURGUNDY ST UNIT 2		NEW ORLEANS	LA	70116	
131 TEACHOUT STEPHEN V	1203 NEWTON ST	UNIT 3	KEY WEST	FL	33040	
132 MATARAZZO KURT	1124 STUMP LN		KEY WEST	FL	33040-7149	
133 MYREN BRENDA LYNN	1123 STUMP LN		KEY WEST	FL	33040	
134 516 WHITE STREET LLC	516 WHITE ST		KEY WEST	FL	33040-7170	
135 UNITED STATES OF AMERICA	400 WHITE ST		KEY WEST	FL	33040	
136 ARIF KHADIJA AKHTER D	7701 NW 62ND WAY		PARKLAND	FL	33067	

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137 GRIBIK SUZANNE J	616 ASHE ST		KEY WEST	FL	33040	
138 GIRARD D'ALBISSIN ARNAUD AND NAJA	1214 NEWTON ST		KEY WEST	FL	33040	
139 EPPY GREG S AND DOREEN S	8 AZALEA DR		KEY WEST	FL	33040	
140 WOOTEN FRANK F	1118 EATON ST		KEY WEST	FL	33040	
141 BEHRENS J DOUGLAS AND LINDA	16235 HUTCHINS MILL RD		MONKTON	MD	21111	
142 ATKYNS SUZANNE J	416 WHITE ST		KEY WEST	FL	33040-6960	
143 LEWIN KURT C AND MONICA A	404 WHITE ST		KEY WEST	FL	33040	
144 EMSHOFF CLARENCE E	670 ISLAND WAY	UNIT 606	CLEARWATER	FL	33767	
145 OESTERLING EMIL AND JOAN M	1113 CURRY LN		KEY WEST	FL	33040	
146 RODEL CHARITABLE FOUNDATION	PO BOX 4014		KEY WEST	FL	33041-4014	
147 FELDMAN DONNA	1418 ANGELA ST		KEY WEST	FL	33040	
148 BETHEL DALBERT D	1407 NEWTON ST		KEY WEST	FL	33040	
149 BUNGEROTH MARC R K	1404 NEWTON ST		KEY WEST	FL	33040	
150 MCCLURE JACQUELYN R	1509 CONSTASO CT		SAN JOSE	CA	95129	
151 COGGINS ARLEEN	605 2ND AVE		MARMORA	NJ	08223-1710	
152 VON SEGGERN CHRISTINA	1075 DUVAL ST STE C21		KEY WEST	FL	33040-3188	
153 RODRIGUEZ JOY DECL OF TRUST 10/6/2011	1113 STUMP LN		KEY WEST	FL	33040-7148	
154 TRUESDELL BRUCE AND ADA	5409 OVERSEAS HWY	UNIT 340	MARATHON	FL	33050	
155 LOEFFLER ROBERT D AND GLORIA R	1314 NEWTON ST		KEY WEST	FL	33040	
156 NEWTON PARK A CONDOMINIUM	1203 NEWTON ST		KEY WEST	FL	33040	
157 POTTER JOHN FRANKLIN AND KUEI MEI	1208 NEWTON ST		KEY WEST	FL	33040	
158 HENSON STEVE R AND DEBORAH	1415 ATLANTIC BLVD		KEY WEST	FL	33040	
159 DAWKINS STEPHEN P & JANE HAILE JT REV TR	1212 ANGELA ST		KEY WEST	FL	33040	
160 HANCOCK GLORIA JUANITA	2016 PATTERSON AVE		KEY WEST	FL	33040-3715	
161 GOBLE ROBERT T AND CAMILLA JANE	159 RUDDER CT		LEXINGTON	SC	29072	
162 HALLGREN WENDY	1425 NEWTON ST		KEY WEST	FL	33040	
163 CORMACK BRENDA L/E	1410 ANGELA ST		KEY WEST	FL	33040	
164 OROPEZA CARLEEN A REV TRUST 2/3/95	224 KEY HAVEN RD		KEY WEST	FL	33040	
165 MAC DONALD STEPHEN	75 OLD CLOVE RD		HIGH FALLS	NY	12440	

City Commission Recommended Amendment

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, PROPOSING AMENDMENTS TO THE FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP SERIES OF THE CITY OF KEY WEST COMPREHENSIVE PLAN FOR PROPERTY KNOWN AS THE PEARY COURT HOUSING COMPLEX (RE# 00006730-000000, ALTERNATE KEY # 1006963); AMENDING THE FUTURE LAND USE MAP LEGEND AND DENSITY AND INTENSITY OF DEVELOPMENT, AMENDING MAP 1-1, MAP 1-4, AND MAP 1-6 OF THE FUTURE LAND USE MAP SERIES; CREATING POLICY 1-1.6.4; AND POLICY 1-2.3.11 TO PROVIDE FOR THE INTEGRATION OF THE MILITARY SITE INTO THE COMMUNITY; AND TO DEFINE A NEW FUTURE LAND USE MAP DESIGNATION OF "HISTORIC SPECIAL MEDIUM DENSITY RESIDENTIAL" (HSMDR) AND APPLYING SUCH DESIGNATION TO SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT PROVISIONS PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR THE FILING WITH THE SECRETARY OF STATE AND FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE INCLUSION IN THE CITY OF KEY WEST COMPREHENSIVE PLAN.

WHEREAS, the City of Key West was informed on or around April 6, 2011 that the United States Navy, with its concessional housing partner, Southeast Housing, LLC, would be pursuing the sale of the property known as Peary Court (RE# 00006730-000000), and all of the structures on it, to a private entity; and

WHEREAS, the Peary Court property is located within the City's Military (M) Future Land Use designation and zoning district; and

WHEREAS, Policy 1-2.6.2 of the Comprehensive Plan does not specify regulatory land use controls for lands that fall under the Military (M) Future Land Use designation but simply recognizes federal preemption of local land use controls; and

WHEREAS, should the ownership change from a military entity to civilian entity, the federal preemption from land use controls no longer provides sufficient and necessary guidance and regulations to accommodate the existing housing and mixed use development on the property; and

WHEREAS, in order to allow staff to develop and analyze necessary and appropriate Future Land Use and zoning amendments, the City Commission approved Resolution 11-325 on November 15, 2011, invoking the Zoning in Progress Doctrine for the Peary Court property; and

WHEREAS, City Commission Resolution 11-325 provided an interim Future Land Use and zoning designation of Planned Redevelopment District (PRD), as well as direction to City staff to consider the following Future Land Use designation changes: Planned Redevelopment District (PRD), Historic Planned Redevelopment District (HPRD), Medium Density Residential (MDR), Historic Medium Density Residential (HMDR), or a hybrid of these designations, as the most appropriate and consistent with the unique site characteristics of the property; and

WHEREAS, staff has analyzed the existing site characteristics and the relationship of the property to immediately surrounding development and neighborhoods, and the potential function of

the existing housing with the community as a whole in order to determine a Future Land Use Designation consistent with the criteria for approving amendments to the Comprehensive Plan Future Land Use Map, pursuant to Section 90-555 of the Land Development Regulations; and

WHEREAS, based on staff analysis, a hybrid Future Land Use designation of Historic Medium Density Residential (HMDR) and Planned Redevelopment District (PRD) to be called the Historic Special Medium Density Residential (HSMDR) district will be the most compatible designation with the existing site characteristics at Peary Court, protects surrounding adjacent established land uses, and promotes consistency with the Comprehensive Plan, conformance with applicable ordinances, changed conditions, land use compatibility, adequate public facilities, the natural environment, economic effects, orderly development, the public interest, and other matters applicable; and

WHEREAS, the proposed amendment is internally consistent with the City of Key West Comprehensive Plan; and by supporting the goals, objectives, and policies of the plan; and

WHEREAS, the proposed amendment is consistent with the Principles of Guiding Development for the City of Key West, Rule 28-36.003, Florida Administrative Code (F.A.C.).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA:

Section 1: The City of Key West Comprehensive Plan Goals, Objectives, and Policies shall be amended as follows: (Deletions are ~~stricken through~~ and additions are underlined.)

Add to Goal 1-1 Land Use, Objective 1-1.6, Integrate Former Military Sites, the following new policy:

Policy 1-1.6.4: Peary Court Housing Complex Organizing Element. All new development and redevelopment within the Peary Court Housing Complex shall be consistent with the following key organizing elements:

1. Preserve the existing housing stock of 160 units for permanent multifamily residential purposes.
2. Maintain land use compatibility and sensitivity with the adjacent historic district.
3. Maintain land use compatibility and sensitivity with the adjacent military installation at Naval Air Station Key West Trumbo Point Annex.
4. Recognize that a portion of the existing housing on the property contributes to the affordable housing stock of the community due to its availability to non-military citizens and its rental rate structure, and to maintain such affordability for a reasonable portion of those units.

Amend Goal 1-2 Future Land Use Map, by changing:

Map 1-1, Future Land Use Map Series: The City's Future Land Use Map (pg. 1-10). Remove the Military (M) Future Land Use designation applied to the property, and substitute the new Historic Special Medium Density (HSMDR) Future Land Use designation (Exhibit 1).

The Future Land Use Map Legend and Density and Intensity of Development (pg. 1-11) shall be amended to include the Historic Medium Density (HSMDR) Future Land Use designation, and shall have a maximum nonresidential Floor Area Ratio of 1.0, and maximum residential density of eight (8) dwelling units per gross acre (Exhibit 2).

Map 1-4 of the Future Land Use Map Series (pg. 15) shall be amended to remove the “NAVY” designation on the parcel of property known as the Peary Court Housing Complex (RE# 00006730-000000) (Exhibit 3).

Map 1-6 of the Future Land Use Map Series (pg. 1-17) shall be amended to remove the “NAVY” designation on the parcel of property known as the Peary Court Housing Complex (RE# 00006730-000000) (Exhibit 4).

Amend Objective 1-2.3 Managing Old Town Redevelopment and Preservation of Historic Resources by adding the following policy:

Policy 1-2.3.11: Historic Special Medium Density Residential (HSMDR). The area delineated on the Future Land Use Map as Historic Special Medium Density Residential (HSMDR) is designed to accommodate the existing multifamily military housing complex at Peary Court at that time when the land and improvements are transferred to civilian ownership and City jurisdiction. The designation is intended to maintain land use compatibility with the adjacent historic district and military installation at Trumbo Point Annex. This designation is not intended to accommodate transient or commercial residential land use activities. The allowable residential density shall be a maximum of eight (8) units per acre. The maximum intensity of development shall not exceed a floor area ratio of 1.0 for all uses.

Upon Plan adoption, the land development regulations shall be amended to identify standards and processes to implement new Policy 1-1.6.4, to provide bulk and performance standards to implement the HSMR designation, and to assure compliance with all other goals, objectives, and policies of the Comprehensive Plan.

Upon plan adoption, the Historic Preservation Planner shall have the discretion to review redevelopment and new development impacts for mass, scale, size, proportion, and screening to ensure compatibility with the existing community fabric. Upon plan adoption, the land development regulations shall be amended to include applicable review criteria for such historic architectural review standards.

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable there from and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance shall be transmitted by the Director of the Planning Department to the State Land Planning Agency pursuant to Chapter 163 and 380, (F.S.).

Section 5: This ordinance shall be filed in the Office of the Secretary of the State of Florida but shall not become effective until a notice is issued by the State Land Planning Agency or Administration Commission finding the amendment is in compliance with Chapter 163, (F.S.), and after any applicable appeal periods have expired.

Section 6: The numbering of the forgoing amendment may be renumbered to conform to the numbering of the City of Key West Comprehensive Plan and shall be incorporated in the City of Key West Comprehensive Plan.

Read and passed on first reading at a regular meeting held this ____ day of ____, 2012.

Read and passed on final reading at a regular meeting held this ____ day of ____, 2012.

Authenticated by the presiding officer and Clerk of the Commission on ____ day of ____, 2012.

Filed with the Clerk ____, 2012..

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

- 2 An Ordinance of the City of Key West, Florida, proposing amendments to the Future Land Use Element and Future Land Use Map series of the City of Key West Comprehensive Plan for property known as the Peary Court Housing Complex (RE#00006730-000000, Alternate Key# 1006963); Amending the Future Land Use Map legend and Density and Intensity of Development, amending Map 1-1, Map 1-4 and Map 1-6 of the Future Land Use Map series; Creating Policy 1-1.6.4; And Policy 1-2.3.11 to provide for the integration of the military site into the community; And to define a new Future Land Use Map designation of “

Sponsors: City Manager Scholl

A motion was made by Commissioner Lopez, seconded by Commissioner Rossi, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

No: 1 - Commissioner Weekley

Yes: 6 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Yaniz and Mayor Cates

RESOLUTIONS

- 3 **Quasi-Judicial Hearing** - Granting permission to initiate a Development Agreement for the Peary Court Property (RE# 00006730-000000).

Sponsors: City Manager Scholl

Withdrawn

ADJOURNMENT

9:04 P.M.

3

An Ordinance of the City of Key West, Florida, proposing amendments to the Future Land Use Element and Future Land Use Map series of the City of Key West Comprehensive Plan for property known as the Peary Court Housing Complex (RE#00006730-000000, Alternate Key# 1006963); Amending the Future Land Use Map legend and Density and Intensity of Development, amending Map 1-1, Map 1-4 and Map 1-6 of the Future Land Use Map series; Creating Policy 1-1.6.4; And Policy 1-2.3.11 to provide for the integration of the military site into the community; And to define a new Future Land Use Map designation of "Historic Special Medium Density Residential" (HSMRD) and applying such designation to said property; Providing for severability; Providing for repeal of inconsistent provisions; Providing for transmittal to the State Land Planning Agency; Providing for the filing with the Secretary of State and for an effective date; And providing for the inclusion into the City of Key West Comprehensive Plan.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Executive Summary](#)

[Planning Board Resolution 2012-16](#)

[Planning Board Package](#)

[Comprehensive Plan Objectives & Policies](#)

[*Large File* Data & Analysis](#)

[Planning Board Noticing & Advertising](#)

[Public Comment](#)

[DEO Revocation of Affordability for PC](#)

Legislative History

1/26/12	Development Review Committee	Received and Filed
2/23/12	Development Review Committee	Received and Filed
4/19/12	Planning Board	Passed
5/15/12	City Commission	Postponed

ADJOURNMENT



Data and Analysis

Proposed Future Land Use Amendment: Historic Special Medium Density Residential (HSMDR)

Peary Court Housing Complex

On April 6, 2011, the City was notified that the United States Navy, with its concessional housing partner, Southeast Housing, LLC, would be pursuing the sale of the property known as the Peary Court Housing Complex (RE# 00006730-000000), and all of the structures on it, to a private entity. The property is located within a Military (M) Future Land Use designation and corresponding zoning district. As such, should the property be sold to a non-military entity, the Future Land Use Element and Future Land Use Map of the City of Key West Comprehensive Plan must be amended, and subsequent amendments to the City's Land Development Regulations would be required to update the zoning district and the City's Official Zoning Map. In order to amend the Future Land Use Element and Future Land Use Map, the following information was reviewed and analyzed:

- Information regarding the consistency of the proposed land use amendments with the future land use element goals, objectives and policies, and those of other affected elements
- Impacts on Hurricane Evacuation; Planning and the BPAS;
- A description of availability of and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, and recreation, as appropriate;
- Tenant Rental Types and Rental Ranges in Relation to Affordable Housing;
- Construction Code/Federal Emergency Management Agency (FEMA) Flood Elevation Compliance; and
- Review of Archaeologically Sensitive Areas on the Site.

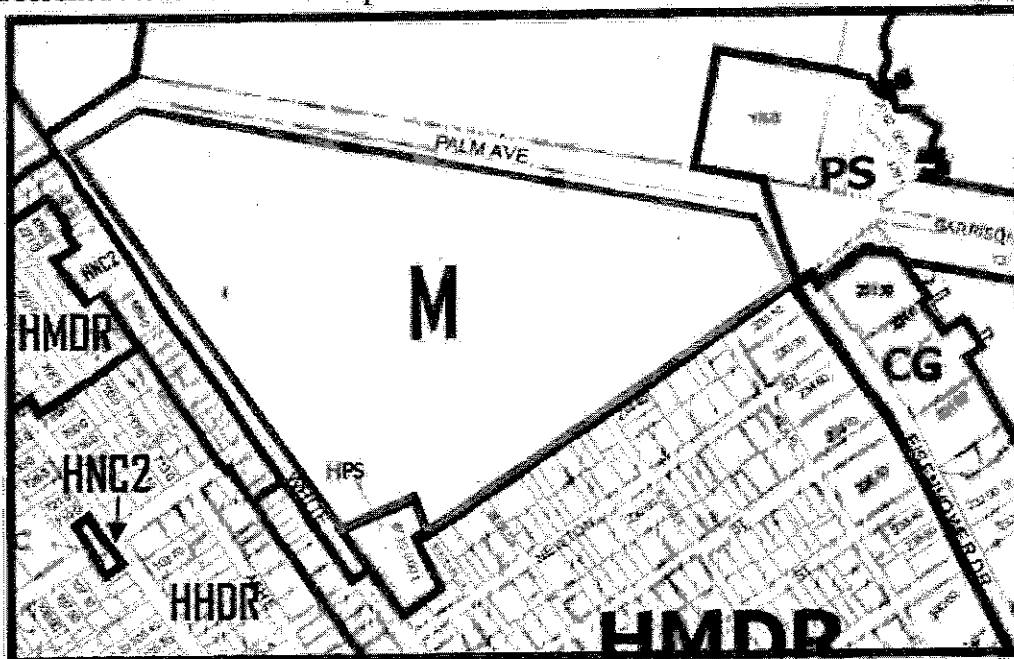
Background and Existing Site Characteristics

The Peary Court Housing Complex consists of approximately 24.26 acres, and began phased construction in 1993. The total number of residences recognized on the property is 160, however only 157 units are currently in existence on the property today. At the time of construction, the residences fulfilled military housing needs. However, over time, the tenant type was broadened to include public sector civilians.

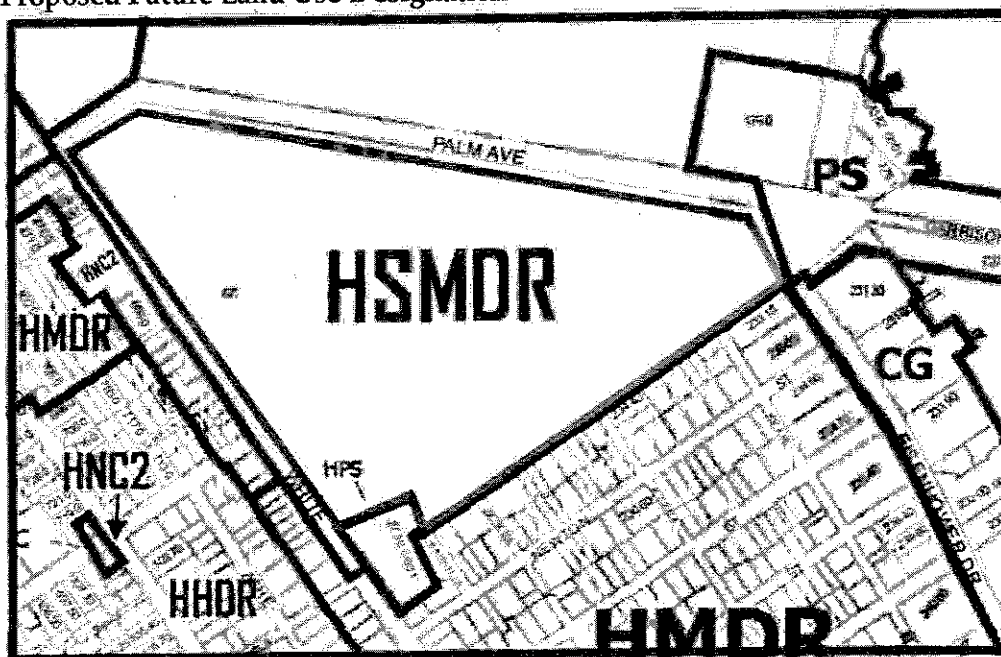
The property is located adjacent to the following future land use designations: Military (M) designation at Trumbo Point Annex, the Historic Neighborhood Commercial Future Land Use designation, the Historic Medium Density Residential (HMDR) designation, the General Commercial Future Land Use designation, and Public Service (PS) Future Land Use designation. Though there are some institutional and commercial Future Land

Use designations proximate or adjacent to the property, there is a significant portion of historic, permanent residential housing abutting the property.

Present Future Land Use Map



Proposed Future Land Use Designation



1. Review of Consistency with the Future Land Use Element Goals, Objectives and Policies, and Those of Other Affected Elements:

The City's Comprehensive Plan was reviewed to ensure that the proposed Future Land Use policy and Future Land Use map series amendments are consistent with the adopted Goals, Objectives, and Policies in the Future Land Use Element and other affected elements. This review determined that the proposed amendments are consistent with the Comprehensive Plan. The following supportive Goals, Objectives, and Policies are identified to provide support for the proposed HSMDR Future Land Use designation:

- **Goal 1-1: Land Use.** Ensure that the character and location of land uses incorporate best management practices and principles of resource conservation, promote orderly land use transition, and minimize threats to health, safety, and welfare which may be caused by incompatible land uses, environmental degradation, hazards, and nuisances.

- **Policy 1-1.1.1: Provide Access to Goods and Services and Protect Residential Areas from the Adverse Impacts of Transition in Land Use.**

Stable residential areas and projected future residential areas as delineated on the Land Use Map shall be protected from encroachment by incompatible development. This objective does not preclude necessary community facilities from locating within residential areas when such activities satisfy established criteria of this plan and the City's Land Development Regulations.

Similarly, perimeter landscaping techniques shall be applied in multiple family residential developments in order to appropriately screen and buffer existing and planned single family home sites from residential development having differing structure types.

In addition, land development regulations shall incorporate standards and/or review criteria for mandating retention of open space and for regulating building design, including setbacks, building placement on site, and building orientation. These provisions shall be directed toward protecting privacy, as well as access to light, air, and open space. Other reasonable design principles shall be included in the zoning code in order to alleviate adverse impacts of potentially incompatible land uses.

- **Objective 1-1.6: Integration of Former Military Sites.**

Ensure that the integration of former military land provides for long-term, sustained, economic growth consistent with the community's vision for the City of Key West, as follows:

1. Provide meaningful integration of the sites into the community fabric;
2. Help diversify the economy;

-
3. Encourage balanced growth in the area's economy, including commercial and service sector job growth;
 4. Provide employment opportunities for the region's unemployed and underemployed persons;
 5. Strengthen the local tax base;
 6. Help existing business and industries expand;
 7. Help small businesses develop;
 8. Provide affordable housing for Key West residents;
 9. Provide public recreation and access opportunities, especially in the waterfront;
 10. Provide opportunities for port, harbor, and marina improvements;
 11. Facilitate improvements and provide physical and economic links to Bahama Village;
 12. Ensure environmental sensitivity; and
 13. Provide opportunities for social services and special needs housing.

- **Objective 1-2.3: Managing Old Town Redevelopment and Preservation of Historic Resources.**

Areas delineated on the Future Land Use Map for historic preservation shall be planned and managed using a regulatory framework designed to preserve the form, function, image, and ambiance of the historic Old Town. The City's Historic Architectural Review Commission (HARC), in addition to the Planning Board, shall review all development proposals within the historic area designated by the National Register of Historic Places. The land development regulations shall be amended upon plan adoption to incorporate design guideline standards recently adopted by HARC.

Development in any area of Old Town within and outside the HARC review area may impact the historic significance of Old Town. Any development plans for these areas shall be subject to site plan review and shall be designed in a manner compatible with historic structures within the vicinity.

- **Policy 1-2. 6.2: Military Lands (M).**

The Future Land Use Map designates land owned by the United States Navy as Military (M). The City of Key West has in the past exercised no regulatory land use controls directed toward managing land and water resources under military jurisdiction. However, under Chapter 380, the City is designated as an area of critical state concern and the State principles for guiding development specifically require the City to carry out regulatory programs directed to the: (1) "Protection of the value, efficiency, cost effectiveness, and amortized life of existing and proposed major public investments including the Key West Naval Air Station and other military facilities," and (2) Minimize the adverse impacts of proposed public investments on the natural and environmental resources of the City of Key West." The State principles for guiding development require that the City coordinate with the United States Navy in order to effectively manage the impacts of development on public infrastructure and natural resources.

-
- **Goal 1-3: Implementing Land Use Goals and Objectives.** Continue to monitor and evaluate development and resource conservation within the City pursuant to goals and objectives of the Comprehensive Plan Land Use Element and carry out an effective implementation program as herein established.
 - **Objective 1-3.1 Concurrency Management.**

The concurrency management system presented in Objective 9-1.5 and 9-1.6 through 9-1.6.3 shall be an integral part of the Future Land Use Element and shall be binding performance criteria to which all new development shall comply. Upon adoption of the plan, the City shall adopt a concurrency management program. Pursuant to Ch. 163, FS, and 9J-5, FAC, the City of Key West shall issue no development order or permit for development unless the applicant provides narrative and graphic information demonstrating to the satisfaction of the City that public facilities required by the subject development shall be in place concurrent with the impacts of development. Furthermore, the applicant shall assure that the facilities operate at or above adopted levels of services standards. The applicant's narrative and graphic information shall also demonstrate that the subject development shall not reduce the levels of service (LOS) associated with public facilities serving the development below adopted LOS standards.
 - **Objective 1-3.2 Manage and Coordinate Future Land Use Decisions.**

Upon adoption of the City's Comprehensive Plan, the City of Key West shall enforce land development regulations which ensure that land development activities, resource conservation, and infrastructure issues are managed in a manner that includes timely coordination with County, regional, and State agencies having jurisdictional authority. Management of land and physical improvements identified on the Future Land Use Map will be regulated (especially lands identified in the land use element analysis of vacant lands) in order to protect and/or conserve natural systems, including topography, soil conditions, vegetation, natural habitat, potable water, wellfields, and other environmentally sensitive land and water resources. Land use shall also be predicated on availability of man-made infrastructure and service systems required to support respective land use activities.
 - **Objective 1-3.5: Protection of Archaeological Resources.**

Upon adoption of the City's Comprehensive Plan, the City shall adopt land development regulations which ensure that future land development activities incorporate appropriate measures to prevent damage to archaeologically and historically significant resources of State significance. In addition, the City's regulatory framework shall require preserving locally significant historic resources as identified by the City's Historic Architecture Review Committee.
 - **Policy 1-3.5.1: Programming for Archaeological and Historic Sites.**

The City shall coordinate with the State and federal government in developing programs for implementing City, State, and federal policies for identifying relative significance, protection, preservation, and enhancement shall be promoted, utilizing available public resources at the local, State, and Federal level as well as available private sector resources.

- **Policy 1-3.5.2: Preventing Adverse Impact of Redevelopment on Historic or Archaeological Sites.**

Development activities shall include precautions necessary to prevent the following adverse impacts to historic or archaeological sites of significance: 1) destruction or alteration of all or part of such site; 2) isolation from or significant alteration to its surrounding environment; 3) introduction of visible, audible, or atmospheric elements that are out of character with the property or significantly alter its setting; 4) transfer or sale of a site of significance without adequate conditions or restrictions regarding preservation, maintenance, or use; and 5) other forms of neglect resulting in its deterioration.

- **Policy 1-3.10.7: Manage Current Development Impacts.**

Evaluate and manage impacts of proposed development pursuant to existing ordinances, including, but not limited to, public facilities, natural environment, and impact on stable residential neighborhoods.

- **Policy 1-3.12.2: Building Permit Allocation Ordinance and Affordable Housing.**

The City permit allocation system shall require that thirty percent (30%) of all new permanent residential units be affordable units based on definitions and criteria contained in Policy 3-1.1.3 (Cross reference Section XI herein).

- **Policy 1A-1.2.4: Land Use Compatibility.**

Upon plan adoption, the City shall identify and through its Building Code and enforcement program, shall pursue the reduction and incremental elimination of inconsistent land uses in the historic district. Adjacent land uses in the Historic District shall be compatible. Reference Objective 1-2.3 of the Land Use Element.

2. Impacts upon Hurricane Evacuation Planning and Building Permit Allocation System (BPAS):

It is the City's understanding, based upon correspondence received from the State Land Planning Agency regarding the evacuation of military installations, that the Peary Court units have been counted as dwelling units in the hurricane evacuation models (Exhibit 1). Based on the foregoing, in conjunction with an October 20, 2011 email from the Areas of Critical State Concern Administrator, the City has been notified that no retroactive BPAS allocations would be necessary (Exhibit 2).

On March 20, 2012, the City received a letter from Balfour Beatty Communities dated March 19, 2012 further describing hurricane evacuation history at Peary Court, as well as documentation outlining the Navy's hurricane evacuation procedures as outlined in Naval Air Station Key West Instruction 3440.1B, Subject: Tropical Cyclone and Destructive Weather Plan (Exhibit 3). Based upon the information provided, it is the City's understanding that no additional impacts upon hurricane evacuation or the BPAS are anticipated.

3. A description of availability and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, and recreation, as appropriate:

At the January 26, 2012 and February 23, 2012 Development Review Committee (DRC) meetings (meeting minutes attached, Exhibit 4), the consideration of a Future Land Use Element and Future Land Use Map amendment for the subject property was considered. Based on information provided at both meetings, it has been determined that adequate public facilities are available to provide the development (Exhibit 5). The proposed Future Land Use Map Amendment of HSMDR is being considered as a result of the anticipated disposition of the military property, and does not provide for more intense development impacts than the existing site conditions.

4. Tenant Rental Types and Rental Ranges in Relation to Affordable Housing:

According to information available on February 12, 2012, the current average rental rate is \$1,954.02 (Exhibit 6). According to information available at the time that the documentation was submitted to the City, the units on the property were occupied as follows:

- 40 Public Sector Civilian leases;
- 93 Military leases;
- 9 Other Preferred/Retiree leases;
- 8 Department of Defense (DOD) Affiliated Civilian leases; and
- 1 unit used for office/model, and 6 vacant units.

It is important to note that the information provided regarding tenant stratification is not static, as the number and types of leases can change daily. However, this information is intended to provide a snapshot of the stratification of unit types in place to illustrate the existing conditions on the property at the time of the Future Land Use Map amendment. Based on these figures, approximately 25% of the dwelling units on the property are leased to the general public. If the City of Key West Work Force Housing Income, Sale, and Rent Limits were to be applied to the 2012 Rent Limits Adjusted to Family Size (not including utilities), these units would be functioning within the community as affordable units (Exhibit 7).

Separately, on November 14, 2011, the Area of Critical State Concern Administrator from the State Land Planning Agency provided a letter opining that the dwelling units

on the site were subject to the City's Comprehensive Plan Policy 3-1.3.3 (Exhibit 8), which provides:

Policy 3-1.1.3: Additions to LDRs. Based on the Comprehensive Plan analysis of the "growth management," the City shall repeal the growth management ordinance and adopt as part of the land development regulations: 1) an affordable housing ordinance; and 2) a rate of growth ordinance.

Ratio of Affordable Housing to Be Made Available City-Wide: 1990-2010. The affordable housing ordinance shall stipulate that at least thirty percent (30%) of all residential units constructed each year shall be affordable as herein defined. Residential or mixed-use projects of less than ten (10) residential units shall be required to either develop thirty (30) percent of the units as affordable units on- or off-site, or contribute a fee in lieu thereof. However, residential projects of ten (10) units or more shall provide affordable units on- or off-site and will not have the option of fees in lieu thereof based on provisions to be included in the updated land development regulations.

Affordable Housing Trust Fund to be Established. The City shall establish and maintain an "affordable housing trust fund" with revenue received from "fees in lieu" of constructing required affordable housing as herein stipulated that is earmarked for the support and production of low and moderate income housing. The fees-in-lieu and the Housing Trust Fund shall not be commingled with general operating funds of the City of Key West. The trust fund shall be used for direct financial aid to developers as project grants and affordable housing project financing; direct or indirect aid to home buyers or renters as mortgage or rental assistance; and leverage to housing affordability, through site acquisition or development and housing conservation.

Impacted Land Uses. Any new commercial, industrial, hotel/motel or multi-family housing development shall be required to provide affordable housing or make "fees-in-lieu" to the Housing Trust Fund. The formula for determining the number of affordable housing units (or "fees-in-lieu") to be provided by each type of development cited above shall be stipulated in the land development regulations. The formula for commercial, industrial and hotel/motel developments shall be based on an economic assessment to be undertaken as part of the City's Comprehensive Housing Affordability Study to be completed in FY 1992-93. This assessment shall provide a fair and equitable affordable housing unit threshold based on each 100 square feet of gross leasable (or total units in the case of multi-family units or hotel/motel units).

Separately, Objective 1-1.6 of the City's Comprehensive Plan provides criteria for integrating former military sites, as follows:

Objective 1-1.6: Integrate Former Military Sites. Ensure that the integration of former military land provides for long-term, sustained, economic growth consistent with the community's vision for the City of Key West, as follows:

1. Provide meaningful integration of the sites into the community fabric;
2. Help diversify the economy;
3. Encourage balanced growth in the area's economy, including commercial and service sector job growth;
4. Provide employment opportunities for the region's unemployed and underemployed persons;
5. Strengthen the local tax base;
6. Help existing businesses and industries expand;
7. Help small businesses develop;
8. **Provide affordable housing for Key West residents;**
9. Provide public recreation and access opportunities, especially on the waterfront;
10. Provide opportunities for port, harbor, and marina improvements;
11. Facilitate improvements and provide physical and economic links to Bahama Village;
12. Ensure environmental sensitivity;
13. Provide opportunities for social services and special needs facilities;

(Organizing principles specific to each former military use site are provided in the following policies.)

Though Objective 1-1.6 did not anticipate excessing and potential integration specific to the Peary Court Housing Complex, staff has analyzed this policy in conjunction with Policy 3-1.1.3, and proposes that a portion of the dwelling units on the property continue to provide affordable housing to the community.

5. Construction Code/FEMA Compliance:

During the City's review process of the Future Land Use designation change for the subject property, Planning Department staff requested information demonstrating the applicability of any construction codes utilized at the time of the construction of the dwelling units at Peary Court, as well as flood elevation certificates. Documentation has been provided indicating that the units were constructed under the 1988 Southern Standard Building Code Congress International (SBCCI) (referenced in Exhibit 5).

The City's FEMA Coordinator/Floodplain Administrator reviewed the elevation certificates provided for the structures on the property, and identified flood concerns related to: the unattached enclosed storage structures attached to the carports, in that flood vents would need to be provided; the height of air conditioning units on the property; and the lack of flood vents in the guard sheds. Though modification to the structures will be required to achieve compliance with FEMA regulations, the proposed Future Land Use policies and map amendments will not specifically address these nonconformities. However, this issue is being addressed to inform the data and analysis

report of the existing site conditions, and to provide a mechanism to address the issue as part of the Certificate of Occupancy (C/O) process.

Review of Archaeologically Sensitive Areas on the Site:

According to the review of the Florida Department of State Division of Historical Resources letter, dated March 19, 1991 (referenced in Exhibit 5), a cultural resource assessment survey was performed indicating archaeologically sensitive areas on the property. The proposed Future Land Use amendment provides discretion to the City's Historic Preservation Planner due to the development impacts that may occur as a result of the proximity of the subject property to the City's nationally recognized historic district, as well as the potential impacts that development and redevelopment may have on the archaeologically sensitive areas recognized on the site.

Exhibits:

- Exhibit 1: January 20, 2012 Letter from State Land Planning Agency
- Exhibit 2: October 20, 2011 Email from State Land Planning Agency
- Exhibit 3: March 19, 2012 Letter from Balfour Beatty Communities, NASKW Instruction 3440.1B, Tropical Cyclone and Destructive Weather Plan
- Exhibit 4: January 26, 2012 and February 23, 2012 DRC Meeting Minutes
- Exhibit 5: February 15, 2012 Response to Follow Up to January 26, 2012- Development Review Committee Meeting Letter Dated February 3, 2012
- Exhibit 6: February 12, 2012 Letter RE: Balfour Beatty Communities Tenant Rental Types and Rental Ranges
- Exhibit 7: City Commission Resolution 12-091, City of Key West Work Force Housing Income, Sale, and Rent Limits Per Ordinance NO. 05-27, Section 122-1472.
- Exhibit 8: November 14, 2011 Letter State Land Planning Agency
- Exhibit 9: Environmental Baseline Survey Public/Private Venture Housing Privatization Naval Air Station Key West, Florida

Exhibit 1

Rick Scott
GOVERNOR



Doug Darling
EXECUTIVE DIRECTOR

January 20, 2012

Mr. Jeff Green
Gulf Coast Development Manager
Balfour Beatty Communities
3502 East Eighth Street, Bldg 452
Gulfport, Mississippi 39501

Dear Mr. Green:

Thank you for your recent inquiry regarding hurricane evacuation in the City of Key West. Specifically, you have asked the following questions:

1. *How have the 157 units at Peary Court been incorporated into the Hurricane Evacuation Model?* Hurricane modeling is based upon block group data from the census. Information regarding the number of dwelling units, the number of cars that will be driven during an evacuation and whether or not a particular unit is occupied during hurricane season is derived from census data. In 2009, the Department of Community Affairs contracted with Dr. Earl I. Baker, Florida State University, to conduct behavior surveys to update the model. The following response is an excerpt from the study conducted by Dr. Baker.

Evacuation of Military Installations

"At the suggestion of Monroe County Emergency Management, a representative of Key West Naval Air Station was interviewed with respect to the installation's evacuation procedures. Although there are other military installations in the Keys, the Naval Air Station is the largest, and procedures followed by others were thought to be similar. Jim Brooks, the Public Information Officer, was interviewed.

There are 1,676 uniformed military personnel in the Keys, including all installations, with 1,015 family members. There are up to 459 military training personnel *in addition* who would be flown out in an evacuation. Other personnel and their families would drive their own vehicles in and evacuation. Up to 100 would remain on base. Civilians assigned to the base number 848.

The Caldwell Building 107 E. Madison Street Tallahassee, Florida 32399-4120
850.245.7105 TTY: TDD 1-800-955-8771 Voice 1-800-955-8770 FloridaJobs.org



Mr. Jeff Green
January 20, 2012
Page 2 of 2

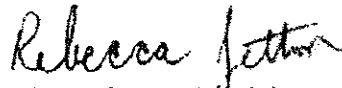
No one would evacuate prior to an evacuation order being issued by the County. (The exception presumably would be personnel removing equipment.) Salary and expenses would be paid during an mandatory evacuation, and NAS reserves hotel rooms in Orlando for personnel and dependents. Mr. Brooks estimated that 90% of personnel and families would leave within 6 hours of the evacuation order and 98% would be gone within 12 hours.

His general impression was that vehicle ownership would be comparable to the general population. It is possible that a larger percentage of available vehicles would be taken in an evacuation because certain personnel would be required to return to the base within 24 hours of passage of a hurricane."

2. *Does the hurricane evacuation model reflect the existing civilian component, as well as the proposed civilian component under new ownership?* The model is based upon how a person responds to census questions taken at ten year intervals regarding whether they live in a household or in group quarters. The software entries would have been determined by the 2000 Census. If residents within Peary Court answered census surveys indicating they lived within a "household," the unit would have been counted. For residents of barracks and other group quarters, no unit counts were developed because the starting assumption was that all group quarters residents (including military) would be evacuated ahead of any general evacuation order. Group quarters would include prisoners, residents of nursing homes, people in hospitals and other medical facilities, as well as the military personnel living in group facilities on the base.

In conclusion, it would be my assumption that the units have been counted as dwelling units in the evacuation models. If you require additional information, please contact (850)717-8494.

Sincerely,



Rebecca Jetton, Administrator
Areas of Critical State Concern

Exhibit 2

Ashley Monnier

From: Don Craig
Sent: Thursday, October 20, 2011 2:32 PM
To: Jim Scholl; Shawn Smith; Mark Finigan
Cc: Ashley Monnier; dph@horan-wallace.com
Subject: Fwd: rogo allocations

FYI
as i requested
don

----- Forwarded message -----

From: Jetton, Rebecca <Rebecca.Jetton@deo.myflorida.com>
Date: Thu, Oct 20, 2011 at 2:26 PM
Subject: rogo allocations
To: "DCraig@Keywestcity.com" <DCraig@keywestcity.com>

Don: You recently contacted me regarding the existing units at Peary Court which were constructed by the Navy for their military personnel. Since the units were built by the Navy, no ROGO allocations were identified or allocated by the City. The Navy has sold the units on the private market. You have questioned whether the city must now retro-actively assign ROGO allocations for this facility.

The recent 2010 Census accounts for these units and they were included in our recent hurricane evacuation modeling. I see no reason why the City would now have to allocate the units.

--
Donald Leland Craig , AICP

Exhibit 3

Ashley Monnier

From: Mark Lavin
Sent: Tuesday, March 20, 2012 1:54 PM
To: 'Ashley Monnier'; Don Craig
Cc: ron.demes@navy.mil; david@horan-wallace.com; Shawn Smith; Larry Erskine; Mark Finigan; Leslie Cohn; 'Austin Repetto'; David Forrest; Randall Calvert; Ted Lipham; 'jscholl@keywestcity.com'
Subject: RE: Emailing: Hurricane Evacuation History at Peary Court Requested Information
Attachments: NASKWINST 3440.1B - TROPICAL CYCLONE AND DESTRUCTIVE WEATHER PLAN.pdf; Response to Peary Court Hurricane History.pdf; Hurricane Evacuation History at Peary Court Requested Information.pdf

Mr Craig and Ms Monnier,

Please find attached my response to your letter transmitted via the email below. Additionally, I have attached both the Navy Instruction document cited in my response as well as your letter of request.

I look forward to seeing you at the 19 April 2012 Planning Commission Hearing on Peary Court.

If there is any additional information that you need please let me know.

Thank you for your expeditious handling of this matter.

Mark J Lavin
SVP Navy Portfolio, Balfour Beatty Communities
757-615-5536

-----Original Message-----

From: Ashley Monnier [<mailto:amonnier@keywestcity.com>]

Sent: Wednesday, March 14, 2012 4:54 PM

To: Mark Lavin

Cc: ron.demes@navy.mil; david@horan-wallace.com; Shawn Smith; Larry Erskine; Mark Finigan; Don Craig

Subject: Emailing: Hurricane Evacuation History at Peary Court Requested Information

Please find attached the following letter requesting information pertaining to hurricane evacuation history. Please do not hesitate to contact me with any questions or concerns.

Ashley Monnier
Planner II
City of Key West Planning Department
3140 Flagler Avenue
Key West, Florida 33040
Phone: (305) 809-3725
Fax: (305) 809-3978

Balfour Beatty Communities

10 Campus Boulevard ■ Newtown Square, PA 19073 ■ 610.355.8100 ■ bbgrp.com

19 March 2012

Dear Mr Craig,

This letter responds to your letter of March 13, 2012 requesting additional information concerning the Hurricane Evacuation History at Peary Court.

Naval Air Station Key West has coordinated evacuations in concert with Monroe County since before 2005. Attached please find the most recent edition of the Navy's hurricane evacuation procedures contained in NASKW Instruction 3440.1B. Specifically Page IV-1-3 paragraph 7 and Page IV-1-6 paragraph 3.a show the consistency with county evacuation procedures.

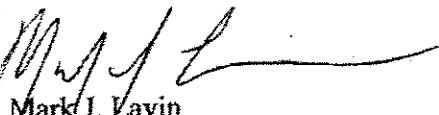
--Page IV-1-3 paragraph 7 "Depending on the size, strength, and forecasted track of a tropical cyclone, Commanding Officer (CO), Naval Air Station Key West (NASKW) may have to order deployment (evacuation) of personnel to out-of-area safe-haven, in order to ensure their safety and well being. Per reference (a) of the attachment, Commander Navy Region South East (CNRSE) is the primary authority for ordering evacuations. The evacuation order plan will be vetted through CNRSE and coordinated with local city, county and state emergency management authorities. Once authorized, the CO will issue the evacuation order."

Further, at page IV-1-6 paragraph 3.a "The order to evacuate will be vetted through CNRSE, and coordinated with local city, county, and state emergency management teams."

Peary Court is one of the properties that are covered under this NASKW umbrella instruction. Peary Court residents evacuated consistently with the rest of the base for all evacuations. Since at least 2005 Peary Court residents have evacuated when Monroe County/City of Key West called for an evacuation of the City. R/V's and transients historically evacuated earlier than our residents.

I look forward to seeing you at the 19 April 2012 Planning Commission Hearing. If there are any other issues that you need from us please let me know.

Thank you again for your time and consideration in this matter. I look for a favorable outcome.



Mark J. Lavin
SVP, Navy Portfolio
Balfour Beatty Communities



DEPARTMENT OF THE NAVY

NAVAL AIR STATION
PO BOX 9001
KEY WEST FL 33040-9001

NASKWINST 3440.1B
N00
7 Sep 10

NAVAL AIR STATION KEY WEST INSTRUCTION 3440.1B

Subj: TROPICAL CYCLONE AND DESTRUCTIVE WEATHER PLAN

Ref: (a) CNICINST 3440.17
(b) OPNAVINST 3140.24F
(c) CNRSEINST 3440.2D

Encl: (1) Saffir/Simpson Hurricane Category Definitions
(2) COR Order Message Template
(3) Tropical Cyclone COR Checklist - NAVFAC SE DET Key West
Public Works Department (PWD)
(4) Tropical Cyclone COR Checklist - Security
(5) Tropical Cyclone COR Checklist - Air Operations
(6) Tropical Cyclone COR Checklist - Port Operations
(7) Tropical Cyclone COR Checklist - All NASKW Departments
(8) Tropical Cyclone COR Checklist - Tenant Activities
(9) Shelter Guide
(10) Primary Shelter Assignments and Secondary Shelter List
(11) Out-of-Area Evacuation Safe Haven Locations
(12) Key and Essential Billets
(13) Weather Warning Definitions
(14) Emergency Operations Center (EOC) Destructive Weather
Guide
(15) Rapid Damage Assessment Form

1. Purpose. To publish guidance for destructive weather Conditions of Readiness (CORs) for Naval Air Station Key West (NASKW), and establish a plan to mitigate damage to personnel, facilities, and resources assigned to NASKW in the event of a hurricane or other destructive weather phenomena.

2. Cancellation. NASKWINST 3140.5S and NASKWINST 3440.1A. These instructions have been combined and completely revised herein. This instruction should be reviewed in its entirety.

3. Discussion.

a. General

(1) References (a) through (c) provide destructive weather guidance, and establish tropical cyclone and non-tropical cyclone CORs in anticipation of destructive winds or other destructive weather phenomena. Reference (b) directs Commander, Navy Region Southeast (CNRSE) to provide COR guidance to all CNRSE installations to facilitate and support preparations for destructive weather events, and safeguard the lives, property and resources within each installation under its Area of Responsibility (AOR). Per reference

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(c), Commanding Officer's shall develop and implement an installation-specific plan using the CNRSE template. Accordingly, this instruction establishes a destructive weather plan and assigns responsibility for setting and attaining destructive weather CORs in response to destructive weather events impacting NASKW. The NASKW website, <https://www.cnic.navy.mil/KeyWest>, also contains useful information pertaining to hurricane preparation and evacuation.

b. Tropical Cyclones

(1) A tropical cyclone is a tropical system with destructive winds of fifty (50) knots or greater, and often accompanied with heavy rains, thunderstorms, lightning, tornadoes, storm surge and/or hail. Upon reaching certain wind strength (65 kts or greater), tropical cyclones are categorized as hurricanes. Enclosure (1) contains hurricane category definitions commonly used to describe the strength of tropical cyclones affecting the Eastern United States. The Atlantic tropical cyclone season is 1 June to 30 November each year. It should be noted, however, that throughout history there has been a named storm in every month of the year.

(2) Commander, Naval Maritime Forecast Center (NMFC) Norfolk, Virginia, provides meteorological and oceanographic support for tropical cyclones. Throughout the tropical cyclone season, the Emergency Manager (EM) shall monitor the NMFC website: <http://www.weather.navy.mil/home1.html> for information concerning tropical cyclones which may impact NASKW. Additionally, NMFA issues tropical cyclone forecasts via defense messaging system (DMS) message to collective address designator (CAD) HURRIWARNLANT, and will provide detailed information to CNRSE and NASKW regarding the onset of hazardous (sustained winds 35-49 knots) and destructive (sustained winds 50 knots or greater) meteorological events in order to assist in ordering CORs.

(3) Per reference (b), Commanding Officer (CO), NASKW will order the appropriate COR for NASKW based upon the size and forecast track of an identified tropical cyclone anticipated to impact NASKW. Enclosure (2) is the DMS template to be used to order a COR. In addition, NASKW will notify tenants and residents of a COR by as many means of communication as possible (email, social networks, voice, media, signage, etc.). NASKW will notify the CNRSE Regional Operations Center (ROC) of tropical cyclone COR orders and attainment via the CNIC sponsored Fleet Collaboration Suite Portal (C4Isuite): <https://c4isuite.atfp.cnic.navy.mil>, telephone: (904) 542-3118, DSN 942 and e-mail: cnrse.rocl@navy.mil. DMS messages should not be used to report COR attainment.

(4) Tropical Cyclone CORs are ordered based on the expected onset of destructive winds. Certain preparatory actions are required within each COR to properly secure NASKW and prepare personnel. The

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level of preparation increases with the progression of each COR level (i.e. from picking up loose gear in COR 5, to removing awnings in COR 3, to reporting to shelters in COR 1). Certain NASKW tenant activities and departments (NAVFAC SE Det KW (Public Works Department (PWD)), Security, Air Operations, and Port Operations) have unique, specific responsibilities in attaining each COR using checklists contained in enclosures (3) through (6). All other NASKW departments and tenants are responsible for attaining COR levels using enclosure (7). Tropical Cyclone CORs are defined as follows:

(a) COR 5 - Destructive force winds possible within 96 hours. Due to the geographic location of Key West, COR 5 shall be maintained as the minimum state of readiness from 1 June through 30 November.

(b) COR 4 - Destructive force winds are possible within 72 hours.

(c) COR 3 - Destructive force winds are possible within 48 hours.

(d) COR 2 - Destructive force winds are anticipated within 24 hours.

(e) COR 1 - Destructive force winds are imminent within 12 hours.

(5) Using enclosure (8), tenant activities shall prepare and secure assigned spaces, and report COR attainment to the NASKW Quarterdeck: (305) 293-2268/2971 or email NASKW.IOC.fct@navy.mil.

(6) Depending on the size, strength, and forecasted track of a tropical cyclone, CO, NASKW may order personnel to report to identified shelters onboard the installation. The local shelters shall be operated by designated Shelter Officers. Enclosure (9) contains sheltering procedures. Enclosure (10) is a list shelters on board the installation and provides detailed information concerning shelter assignments.

(7) Depending on the size, strength, and forecasted track of a tropical cyclone, CO, NASKW may have to order deployment (evacuation) of personnel to out-of-area safe-haven, in order to ensure their safety and well being. Per reference (a), CNRSE is the primary authority for ordering evacuations. The evacuation order plan will be vetted through CNRSE and coordinated with local city, county and state emergency management authorities. Once authorized, the CO will issue the evacuation order. Enclosure (11) provides general information concerning out-of-area safe-havens and evacuation procedures. Per reference (a), an order to evacuate is mandatory and therefore non-

elective. Only designated personnel will be authorized to remain on the installation.

(8) In the event of an out-of-area evacuation, a designated safe-haven will be identified for evacuating personnel. An Evacuation Coordination Center (ECC) will be established at the designated safe-haven operated by NASKW personnel throughout the evacuation. The ECC will serve as the primary duty station for all evacuated personnel during the evacuation. General information concerning the out-of-area safe-haven, including directions from Key West, is provided in enclosure (12).

(9) Enclosure (13) lists Category (CAT) A and B Key and Essential billets required to ensure all final preparations are made to secure NASKW. CAT A Key and Essential personnel will be required to remain on station in the event of an out-of-area evacuation. CAT B Key and Essential personnel may be required remain on station beyond the evacuation deployment window and return prior to the evacuation redeployment window. Before each tropical cyclone, the EM, with input from tenants and departments, shall assign personnel to each billet identified in enclosure (13). These assignments shall be maintained and updated, as necessary, throughout the season. The CO NASKW is the final approving authority of the CAT A and CAT B list; only the CO NASKW can approve personnel to remain onboard NASKW during an evacuation.

(10) Per reference (a), the CO shall accurately account for personnel in the NASKW AOR and collect and report personnel accounting data to the ROC. The Navy Family Accountability and Assessment System (NFAAS) contains the exact Unit Identification Codes (UIC) for each command/activity the CO NASKW is responsible for. However, per reference (a), each NASKW tenant activity (whether part of NFAAS or not) shall accurately account for personnel and family members and report updates to the EOC or ECC as necessary.

c. Non-tropical Destructive Weather

(1) Non-tropical destructive weather includes high wind gusts, high-sustained winds, thunderstorms, tornadoes, hail, surge, flooding, and/or lightning not associated with a tropical cyclone.

(2) For non-tropical hazardous and destructive weather, both NMFC and the National Weather Service (NWS) issue appropriate weather warnings to CNRSE and NASKW.

(3) The appropriate COR for destructive weather, other than tropical cyclone origin, will be set by CO, NASKW as needed, based upon the guidance from NMFC, NWS, and local weather forecasts. Ordering and attaining non-tropical destructive weather COR is not reported to CNRSE.

4. Action.

a. Commanding Officer NASKW shall:

(1) Set Tropical Cyclone COR:

(a) Monitor weather conditions and order the appropriate tropical cyclone COR to prepare NASKW for destructive weather, ensure the safety of personnel, and mitigate damage to facilities and resources.

(b) Order actions required within each COR level using enclosures (3) through (8).

(c) Establish an Emergency Operations Center (EOC) onboard NASKW, as well as EOC sub-centers at various locations throughout the Florida Keys (as needed) to ensure continuity of operations (COOP) during a destructive weather event. The location, contact information, and standard operating procedures for the EOC and sub-centers is provided in enclosure (14).

(d) Designate an EM who coordinates with NASKW departments and tenant activities concerning setting and attaining CORs. The EM is the principle advisor to the CO with regard to destructive weather events and shall liaise with local and state emergency management organizations with regard to information that may lead to sheltering or evacuation scenarios.

(1) The EM shall notify all departments and tenant activities when COR settings are changed by the CO. COR notification may be communicated by telephone, mass notification system and/or email.

(2) The EM shall notify the CNRSE ROC when CORs are ordered and attained via C4I, email and/or telephone. Telephone: (904) 542-3118, DSN 942. E-mail: cnrse.rocl@navy.mil. DMS should not be used to report COR attainment.

(2) Order personnel to shelter if necessary:

(a) Designate a Hurricane Shelter Officer (HSO).

(b) Designate hurricane shelters onboard NASKW. Enclosure (9) describes shelter concept of operations and enclosure (10) lists NASKW shelter sites. Shelter information for each tropical cyclone season will be provided in NASKWNOTE 3440.

(c) The EM shall coordinate with the HSO to notify all departments and tenant activities of the decision to shelter personnel, and the scope of the sheltering event. Notification may be

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communicated by telephone, mass notification system, and/or email through the EOC.

(d) The HSO shall oversee the preparations of the designated hurricane shelters, and coordinate with the NAVFAC SE Detachment Key West (Public Works Department (PWD)) to ensure that the buildings identified as shelters meet the necessary engineering criteria for designation as hurricane shelters.

(e) The HSO shall ensure Shelter Officers (SO) (E-6 or above) have been designated in writing for each primary shelter prior to the commencement of tropical cyclone season and each SO is familiar with this instruction.

(f) During a sheltering event, the HSO shall communicate with and, travel conditions permitting, visit SOs to ensure shelters are being operated per regulations.

(3) Order deployment (evacuation) to safe-haven:

(a) The order to deploy (evacuate) personnel to an out-of-area safe-haven is to ensure their safety. The order to evacuate will be vetted through CNRSE, and coordinated with local city, county, and state emergency management teams.

(b) Evacuation information will be passed via the public announcement system, local radio stations, local cable television stations, mass notification systems, NASKW website, social networking sites, email, and/or local command/department telephone trees.

(c) Assignment and handling of Key and Essential CAT A and B personnel requires special attention because these personnel are required to 1) remain on station (CAT A), or 2) may be last out/first in (CAT B) during destructive weather events. These personnel shall be specifically identified in enclosure (12) by billet. All NASKW departments and tenant activities shall provide the names corresponding to the billet of their Key and Essential personnel to the NASKW EM by the beginning of the tropical cyclone season (1 June) and provide monthly updates through the remainder of the season. Category A and B Key and Essential personnel are defined as follows:

NOTE: Category "A" and "B" personnel designations are unique to the NASKW destructive weather plan, and must not be confused with the designation of Personnel Categories 1 thru 5 as defined in reference (a).

(1) CAT A - Personnel identified as extremely critical to actions and security. These individuals will not evacuate. They will shelter in place or at a local hurricane shelter designed to withstand destructive weather forces. There is limited space in the

local shelters therefore the CAT A list should be limited to approximately seventy (70) personnel.

(2) CAT B - Personnel, in addition to CAT A personnel, identified as necessary in order to maintain traffic safety, operate facilities, ensure public safety, and make final preparations for the onset of destructive weather. These personnel are the last to evacuate, and may not be able to safely evacuate by automobile due to dangerous weather conditions impacting roadways. Accordingly, the mode of evacuation for these personnel will be at the discretion of the CO based on the current and anticipated weather conditions and related safety concerns. The CO may authorize individual POV travel, or require travel by government vehicle or military airlift as circumstances dictate. Since there are limited seats on military airlift, the CAT B list should not exceed ninety (90) personnel. After a destructive weather event CAT B personnel must be prepared to redeploy to Key West in advance of the general population in order to restore services to the installation.

(d) When an evacuation is ordered, the CO will remain in Key West with CAT A personnel. The EOC shall relay information concerning the status of NASKW to the ECC.

(e) The NASKW Executive Officer (XO) shall report to the ECC at the designated out-of-area safe-haven during an evacuation. An ECC watch-bill shall be established at the beginning of tropical cyclone season (1 June) and updated monthly throughout the season. When operating, the ECC will maintain contact, when possible, with the EOC for updates on the status of conditions onboard NASKW. The ECC will serve as the primary point of contact and information outlet concerning the status of NASKW during evacuation. For the duration of the evacuation and per a "battle rhythm" established by the XO, all NASKW departments and tenant activity representatives shall report to the ECC for updated information and instruction as well as provide daily muster reports.

(f) The designated out-of-area safe-haven and location of the ECC will be announced as part of the evacuation order. Typically the designated safe-haven is Orlando, Florida, and the ECC is located at the Orlando Armed Forces Reserve Center (AFRC). A list containing the addresses and contact information for the potential safe-havens and ECC locations is provided in enclosure (11). Specific evacuation instructions for each tropical cyclone season will be provided in NASKWNOTE 3441.

(g) The EM should establish a list of potential hotel accommodations in the safe-haven area. Hotel information can be accessed through the NASKW website (www.cnmc.navy.mil/keywest).

(4) Order redeployment:

(a) Once the destructive weather has passed and the extent of damage to the installation has been assessed, the CO will communicate with the ECC for redeployment of personnel. This redeployment may be phased; however, all personnel are subject to immediate recall. The mode of transportation for return of personnel will depend on the circumstances (i.e. road conditions, fuel availability etc.), and may include military airlift.

(b) The CO will authorize the general redeployment of evacuees after a complete condition assessment has been completed, and COR-5 attained. The decision for personnel to return after the evacuation will be relayed through the ECC and public announcement system, local radio stations, local television stations, mass notification systems, NASKW website, social networking sites, email, and/or local command/department telephone trees.

(5) Conduct destructive weather exercise:

(a) At least one annual hurricane exercise (HURREX) shall be conducted prior to the beginning of tropical cyclone season. This drill may be more effectively accomplished in conjunction with the annual United States Fleet Forces Command (USFF) hurricane exercise and/or a state/county hurricane drill. It is also advisable to conduct a base-wide HURREX after the summer Permanent Change of Station (PSC) season just prior to the peak of the tropical cyclone season (late July or early August) in order to ensure full exposure of base procedures to newly arrived personnel and family members. At a minimum the exercise shall:

(1) Simulate tropical cyclone CORs 4 through 1 setting, attainment and reporting using this instruction and enclosures.

(2) Ensure the EM coordinates with the HSO and SOs to establish the readiness of hurricane shelters.

(3) Ensure shelters are equipped and prepared for sheltering events.

(4) Test public announcement systems and other communications systems.

(5) Use the EOC and test communication with the CNRSE ROC using C4I, BGAN (SATTELCOM), and other available systems.

(6) Publish Tropical Cyclone Season Notices:

(a) NASKWNOTE 3440 (Calendar Year Destructive Weather Shelter Instructions).

(b) NASKWNOTE 3441 (Calendar Year Destructive Weather Evacuation Instructions).

b. NASKW Executive Officer (XO) shall:

(1) Direct all operations pertaining to safety and welfare of NASKW AOR personnel and families. Specifically:

(a) Monitor progress of COR settings.

(b) Monitor shelter operations.

(c) Establish a pet shelter when directed.

(d) Deploy to and open the ECC at least 12 hours prior to the deployment of NASKW AOR personnel. Close the ECC after COR-5 has been established and all personnel have redeployed to NASKW.

(e) Prepare and submit all destructive weather event muster reports.

(f) As Installation Training Team (ITT) leader, ensure destructive weather exercise objectives meet mandated requirements.

(2) Ensure a Hurricane Command Duty Officer is designated on the command watchbill during tropical cyclone season (1 JUN - 30 NOV).

c. NASKW Department Heads (DHs) shall:

(1) Be familiar with this instruction and review relevant enclosures, including the department COR checklists, enclosures (3) - (7). Departments that do not have a specific checklist from this instruction are encouraged to develop and exercise local standard operation procedures (SOP) for their department. Department SOPs shall be consistent with the general requirements in enclosure (7). A copy of department-specific SOPs shall be provided to the EM prior to the beginning of tropical cyclone season (1 June).

(2) Ensure all COR preparations are completed when ordered and report attainment to the Quarterdeck.

(3) Maintain an accurate telephone tree for their department updated monthly during tropical cyclone season.

(4) Ensure all personnel within the department are notified when the COR changes and when sheltering or evacuation is ordered.

(5) Maintain an accurate written muster of all personnel in their departments, identifying each individual's name, position, address, telephone number(s), and number of dependents. This includes ensuring all personnel have up to date information in the Total Workforce Management System (TWMS) and the Navy Family Accountability and Assessment System (NFAAS) to include dependent information.

(6) In the event of an evacuation, ensure the departmental muster identifies the location (i.e. hotel location etc.) and telephone point of contact for each person during the evacuation. In addition, ensure all personnel are familiar NFAAS and the NFAAS website; <https://www.navyfamily.navy.mil>.

(7) In preparation for an evacuation, ensure their personnel have made necessary arrangements for the out-of-area safe-haven (i.e. hotel accommodations, mode of transportation etc.). Department heads should check with the EM for a list of potential hotel accommodations in the safe-haven area, and pass the information to their personnel prior to the start of tropical cyclone season (1 June).

(8) Review this instruction annually and submit recommended changes to the EM by 15 April.

d. NASKW Tenant Activities shall:

(1) Comply with the CORs and/or sheltering/evacuation orders issued by CO, NASKW. Enclosure (8) provides a COR checklist for tenant activities. Notify the NASKW Quarterdeck upon COR attainment.

(2) Prepare and maintain an individual destructive weather plan detailing any additional preparations specific to their activity. The plan should provide an outline concerning evacuation procedures for their personnel. All tenant activities shall provide an updated copy of their destructive weather plan to the NASKW EM at the beginning of each tropical cyclone season (1 June).

(3) During an evacuation, ensure that a representative reports to the NASKW ECC on a daily basis, providing a muster report for activity personnel and family members.

(4) Identify Key and Essential personnel for placement on the CAT A or CAT B lists and provide updates to the NASKW EM.

NASKWINST 3440.1B
7 Sep 10

(5) Review this instruction annually and submit recommended changes to the EM by 15 April.



P. A. LEFERE

Distribution: (NASKWNOTE 5216)
Lists A and C
Copy to:
CNIC
COMFLTFORCOM
COMNAVAIRFORCES
COMNAVREGSE
Armed Forces Reserve Center Orlando
PATRICK AFB
MACDILL AFB
Navy and Marine Corps Reserve Center Miami
Navy and Marine Corps Reserve Center West Palm Beach
Naval Recruiting District Miami

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SAFFIR/SIMPSON HURRICANE CATEGORY DEFINITIONS

1. Hurricane intensity and expected damage is categorized according to the Saffir-Simpson scale. The scale ranges from categories one through five, with five being the most severe. The latest version of this scale does not address the potential for other hurricane-related impacts, such as storm surge, rainfall-induced floods, and tornadoes. It should also be noted that these wind-caused damage general descriptions are to some degree dependent upon the local building codes in effect and how well and how long they have been enforced. More information can be found on the National Hurricane Center's website. The categories and possible outcomes according to the National Hurricane Center are:

a. Category One (1). Sustained winds 64 to 82 knots (74 to 95 miles per hour) (*Very dangerous winds will produce some damage*). People, livestock, and pets struck by flying or falling debris could be injured or killed. Older (mainly pre-1994 construction) mobile homes could be destroyed, especially if they are not anchored properly as they tend to shift or roll off their foundations. Newer mobile homes that are anchored properly can sustain damage involving the removal of shingle or metal roof coverings, and loss of vinyl siding, as well as damage to carports, sunrooms, or lanais. Some poorly constructed frame homes can experience major damage, involving loss of the roof covering and damage to gable ends as well as the removal of porch coverings and awnings. Unprotected windows may break if struck by flying debris. Masonry chimneys can be toppled. Well-constructed frame homes could have damage to roof shingles, vinyl siding, soffit panels, and gutters. Failure of aluminum, screened-in, swimming pool enclosures can occur. Some apartment building and shopping center roof coverings could be partially removed. Industrial buildings can lose roofing and siding especially from windward corners, rakes, and eaves. Failures to overhead doors and unprotected windows will be common. Windows in high-rise buildings can be broken by flying debris. Falling and broken glass will pose a significant danger even after the storm. There will be occasional damage to commercial signage, fences, and canopies. Large branches of trees will snap and shallow rooted trees can be toppled. Extensive damage to power lines and poles will likely result in power outages that could last a few to several days.

b. Category Two (2). Sustained winds 83 to 95 knots (96 to 110 miles per hour) (*Extremely dangerous winds will cause extensive damage*). There is a substantial risk of injury or death to people, livestock, and pets due to flying and falling debris. Older (mainly pre-1994 construction) mobile homes have a very high chance of being destroyed and the flying debris generated can shred nearby mobile homes. Newer mobile homes can also be destroyed. Poorly constructed frame homes have a high chance of having their roof structures removed especially if they are not anchored properly. Unprotected windows will

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have a high probability of being broken by flying debris. Well-constructed frame homes could sustain major roof and siding damage. Failure of aluminum, screened-in, swimming pool enclosures will be common. There will be a substantial percentage of roof and siding damage to apartment buildings and industrial buildings. Unreinforced masonry walls can collapse. Windows in high-rise buildings can be broken by flying debris. Falling and broken glass will pose a significant danger even after the storm. Commercial signage, fences, and canopies will be damaged and often destroyed. Many shallowly rooted trees will be snapped or uprooted and block numerous roads. Near-total power loss may be expected with outages that could last from several days to weeks. Potable water could become scarce as filtration systems begin to fail.

c. Category Three (3). Sustained winds 96 to 113 knots (111 to 130 miles per hour) (*Devastating damage will occur*). There is a high risk of injury or death to people, livestock, and pets due to flying and falling debris. Nearly all older (pre-1994) mobile homes will be destroyed. Most newer mobile homes will sustain severe damage with potential for complete roof failure and wall collapse. Poorly constructed frame homes can be destroyed by the removal of the roof and exterior walls. Unprotected windows will be broken by flying debris. Well-built frame homes can experience major damage involving the removal of roof decking and gable ends. There will be a high percentage of roof covering and siding damage to apartment buildings and industrial buildings. Isolated structural damage to wood or steel framing can occur. Complete failure of older metal buildings is possible, and older unreinforced masonry buildings can collapse. Numerous windows will be blown out of high-rise buildings resulting in falling glass, which will pose a threat for days to weeks after the storm. Most commercial signage, fences, and canopies will be destroyed. Many trees will be snapped or uprooted, blocking numerous roads. Electricity and water may be unavailable for several days to a few weeks after the storm passes.

d. Category Four (4). Sustained winds 114 to 135 knots (131 to 155 miles per hour) (*Catastrophic damage will occur*). There is a very high risk of injury or death to people, livestock, and pets due to flying and falling debris. Nearly all older (pre-1994) mobile homes will be destroyed. A high percentage of newer mobile homes also will be destroyed. Poorly constructed homes can sustain complete collapse of all walls as well as the loss of the roof structure. Well-built homes also can sustain severe damage with loss of most of the roof structure and/or some exterior walls. Extensive damage to roof coverings, windows, and doors will occur. Large amounts of windborne debris will be lofted into the air. Windborne debris damage will break most unprotected windows and penetrate some protected windows. There will be a high percentage of structural damage to the top floors

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of apartment buildings. Steel frames in older industrial buildings can collapse. There will be a high percentage of collapse to older unreinforced masonry buildings. Most windows will be blown out of high-rise buildings resulting in falling glass, which will pose a threat for days to weeks after the storm. Nearly all commercial signage, fences, and canopies will be destroyed. Most trees will be snapped or uprooted and power poles downed. Fallen trees and power poles will isolate residential areas. Power outages may last for weeks to possibly months. Long-term water shortages may increase human suffering. Most of the area may be uninhabitable for weeks or months.

e. Category Five (5). Sustained winds greater than 135 knots (155 miles per hour) (*Catastrophic damage will occur*). People, livestock, and pets are at very high risk of injury or death from flying or falling debris, even if indoors in mobile homes or framed homes. Almost complete destruction of all mobile homes will occur, regardless of age or construction. A high percentage of frame homes will be destroyed, with total roof failure and wall collapse. Extensive damage to roof covers, windows, and doors will occur. Large amounts of windborne debris will be lofted into the air. Windborne debris damage will occur to nearly all unprotected windows and many protected windows. Significant damage to wood roof commercial buildings will occur due to loss of roof sheathing. Complete collapse of many older metal buildings can occur. Most unreinforced masonry walls will fail which can lead to the collapse of the buildings. A high percentage of industrial buildings and low-rise apartment buildings will be destroyed. Nearly all windows will be blown out of high-rise buildings resulting in falling glass, which will pose a threat for days to weeks after the storm. Nearly all commercial signage, fences, and canopies will be destroyed. Nearly all trees will be snapped or uprooted and power poles downed. Fallen trees and power poles will isolate residential areas. Power outages will last for weeks to possibly months. Long-term water shortages will increase human suffering. Most of the area will be uninhabitable for weeks or months.

NASKWINST 3440.1B
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CONDITION OF READINESS (COR) MESSAGE TEMPLATE

UNCLASSIFIED

O DTG

FM NAS KEY WEST//00//

TO ALL MILACTS KEY WEST FL

COMNAVREG SOUTHEAST JACKSONVILLE FL//ROC//

INFO COMFLTFORCOM NORFOLK VA//N3//

COMNAVAIRLANT NORFOLK VA//N3/N34A

NAVLANTMETOCCEN NORFOLK//NMFC/NAFA//

NAVLANTMETOCFAC JACKSONVILLE FL//00//

BT

UNCLAS //NO3140//

MSGID/GENADMIN/NAS KEY WEST FL 306//

SUBJ/ORDER TROPICAL CYCLONE CONDITION//

REF/A/DOC/NASKWINST/-/3440.1B/

REF/B/DOC/CNRSEINST 3440.2D//

REF/C/RMG/NAVLANTMETOCCEN NORFOLK/XXXXZXXX20XX//

NARR/REF A IS NASKW TROPICAL CYCLONE AND DESTRUCTIVE WEATHER PLAN. REF

B IS COMMANDER, NAVY REGION SOUTHEAST (CNRSE) DESTRUCTIVE WEATHER PLAN

INSTRUCTION. REF C IS TROPICAL CYCLONE WARNING NR ---.//

POC/CDO/NASKW/TEL: DSN 483-2268/

TEL: COM(305)293-2268/EMAIL: NASKW.IOC.FCT@NAVY.MIL//

RMKS/1. PER REFS A AND B, AND IRT REF C, ORDER TROPICAL CYCLONE

CONDITION OF READINESS (COR) X FOR NASKW EFFECTIVE XXXXZXXX2009

THROUGHOUT MONROE COUNTY. TAKE ALL ACTIONS REQUIRED BY REF A. MAKE

ALL REQUIRED REPORTS TO THE NASKW QUARTERDECK AT EXT 2268/2971/2041.

2. AS OF XX/XXXXZ, (NAME) WAS LOCATED AT XX.X N XX.X W MOVING XX
DEGREES AT XX KNOTS. MAX WINDS XXX KTS WITH GUSTS TO XXX KTS. STRENGTH
IS FORECAST TO (INCREASE/DECREASE) WITH CPA TO (NAME OF INSTALLATION)
OF XXNM OR FORECAST TO MAKE LANDFALL AT (LOCATION) AT ____ LOCAL HOURS
(AS NECESSARY).

3. EXECUTE SHELTER/EVACUATION PLAN (AS NECESSARY).

4. FOR ADDITIONAL DETAILS (CURRENT STORM TRACK, SATELLITE FOR
DOWNLOAD, ETC) VISIT SSL ENABLED WEBSITE AT [HTTPS \(SLASH SLASH\)](https://weather.navy.mil/home.html)
[WEATHER.NAVY.MIL/HOME.HTML](https://weather.navy.mil/home.html) AND FOLLOW THE TROPICAL CYCLONE INFORMATION
LINK.//

Enclosure (2)

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NAVFAC SE Public Works Department Key West (PWD)
DESTRUCTIVE WEATHER AND RECOVERY CHECKLIST

TROPICAL CYCLONE COR-5

This COR is set at the beginning of tropical storm season (1 June) and remains the general state of heightened readiness throughout the season (through 30 November), unless another COR is announced. The PWO shall identify department personnel designated as Key and Essential personnel in enclosure (13) and submit a list containing the name and billet of these personnel to the NASKW EM. This list must be updated monthly during tropical storm season (1 June - 30 November). This list will identify CAT A personnel who must be capable of standing watch in Key West during destructive weather; and CAT B personnel who must be capable of making final preparations to the base before the onset of destructive weather and serve as first responders after storm passage. In addition, the following actions are to be completed within this COR:

CHECKLIST ITEM	RESPONSIBLE PERSON
1. Notify all codes of storm condition.	PR7
2. Notify applicable contractors of storm condition. Review contingency plans.	PR71; PR72; PR73; PR74
3. Update recall list and forward to PWD Admin Officer	PR71; PR72; PR73; PR74
4. Inspect utilities for potential hazards (airborne, trees, damage by flooding).	PR732
5. Inspect facilities/grounds for potential hazards (airborne, trees, damage by flooding).	PR711; PR723
6. Establish JON to all reimbursable customers.	PR7
7. Verify all doors and windows can be locked. Repair those that cannot be locked.	PR71; PR72; PR73; PR74
8. Inspect adjacent property for possible airborne hazards.	PR711; PR723
9. Confirm emergency generators, switching gear work and sump pumps are operational.	PR732
10. Ensure water valves are exercised and working properly.	PR732; FKAA
11. Identify source of portable generators if necessary.	PR711; PR73

Enclosure (3)

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12. Evaluate transportation equipment vs requirements.	PR733
13. Establish and publish hurricane job order number.	PR7
14. Ensure all equipment is operational and ready for emergency use.	PR733
15. Check, replenish and inventory emergency supplies.	PR71; PR72; PR73; PR74
16. Establish and notify the NASKW EM of a Turn-in Plan for government vehicles. The plan should designate parking areas and direct personnel where keys can be stored and retrieved. Coordinate with Air Operations on the use of hangars for storing essential equipment.	PR733
17. Brief Commanding Officer, NASKW and the NASKW EM concerning PWD's capabilities and limitations for supporting station hurricane requirements.	PR7
18. Prepare emergency storage plan (what will need to be moved inside or tied down in the event of a tropical cyclone).	PR711; PR73; PR723
19. Inspect assigned facilities for structural integrity and report structural integrity and location suitability of shelters to the NASKW EM.	PR71
20. Update and publish shuttering requirements.	PR73
21. Report setting of condition V.	PR71; PR72; PR73; PR74
22. Designate CAT A and CAT B personnel.	PR7
23. Report condition V to higher authority.	PR7

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TROPICAL CYCLONE COR-4

This COR is set when the onset of destructive force winds on station is possible within 72 hours. The following actions are to be completed within this COR:

CHECKLIST ITEM	RESPONSIBLE CODE(S)
1. Notify all codes of storm condition.	PR7
2. Notify applicable contractors of storm condition. Prepare sites and ensure they are clear of loose gear and trash is removed and stowed.	PR71; PR72; PR73; PR723
3. Ensure completion of all Condition V checklist items.	All
4. Prepare WWTP for Tropical Cyclone.	PR73
5. Fill water tanks. Maintain at full level.	PR732; FKAA
6. When/where appropriate, inspect the emergency generators to ensure they are operable, top off emergency generator fuel, and secure (with exception to WWTP, A-132, A-324, 1280, Pump House).	PR732
7. Complete Hazardous Waste weekly inspections at all collection points. Check for loose objects and debris.	PR73
8. Check installation of all tie downs.	PR71
9. Secure airfield signs.	PR7 3
10. Install shutters where required.	PR7 3
11. Prepare evacuation orders in the event they are necessary.	PR7; NAVFAC SE

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12. Hook-up two generators on vehicles.	PR73
13. Prepare gear for essential personnel (cell phone, charger, camera, film, blueprints, water, flashlights, batteries, MREs, rain gear, tools, equipment).	CAT A Team
14. Inspect the emergency transportation equipment to ensure it is operable.	PR733
15. Issue contingency funds to FEAD to exercise any additional emergency equipment from Blanket Purchase Authority or procurement.	PR7
16. Refuse collection/secure dumpsters.	PR733
17. Ensure catch basins and storm drain grates are free of obstructions.	PR73
18. HW personnel inspect each collection site.	PR74
19. Report setting of condition IV.	PR71; PR72; PR73; PR74
20. Report condition IV to higher authority.	PR7

TROPICAL CYCLONE COR-3

This COR is set when the onset of destructive force winds on station is possible within 48 hours. The following actions are to be completed within this COR:

CHECKLIST ITEM	RESPONSIBLE CODE(S)
1. Notify all codes of storm condition.	PR7
2. Notify applicable contractors of storm condition. Prepare sites and ensure they are clear of loose gear and trash is removed and stowed.	PR71; PR72; PR73; PR74
3. Ensure completion of all Condition V and IV checklist items.	All

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4. Prepare the interior of all assigned buildings by grouping the contents inside away from windows and exterior walls and cover.	All
5. Remove critical equipment and files/records to safe location.	All
6. Hand out plastic to cover computers.	All
7. Double check vehicles for fuel.	All
8. When/where appropriate, inspect the emergency generators to ensure they are operable, top off emergency generator fuel, and secure (with exception to WWTP, A-132, A-324, 1280, Pump House).	PR732
9. Exercise vehicle turn-in plan for government vehicles. Position equipment and vehicles to ensure maximum survivability and utility. Disperse the equipment, supplies and vehicles as needed.	PR733
10. Assign personnel to stack vehicles inside Maintenance Shops. Other equipment will be moved as close as possible to facilities away from storm direction.	PR733
11. Transfer authority for transportation asset assignments to the Command Center.	PR733
12. Provide 4-wheel drive vehicle to the Command Center.	PR733
13. Recheck Hazardous Waste collection points. Check for loose objects and debris. Move all waste inside facility as required.	PR73; PR74
14. Move as much equipment as possible inside facility.	All
15. Move all files, furniture, computers, and other items away from doors and windows. Cover all computers with plastic. Unplug all unneeded equipment.	All

16. Conduct final inspection of facilities/utilities for hazards.	All
17. Report setting of condition III.	PR71; PR72; PR73; PR74
18. Report condition III to higher authority.	PR7

TROPICAL CYCLONE COR-2

This COR is set when the onset of destructive force winds on station is possible within 24 hours. The following actions are to be completed within this COR:

CHECKLIST ITEM	RESPONSIBLE CODE(S)
1. Notify all codes of storm condition.	PR7
2. Notify and secure contractors of storm condition.	PR71; PR72; PR73; PR74
3. Ensure completion of all Condition V, IV, and III checklist items.	All
4. Coordinate with Environmental in regard to contact of EPA and State regulators of situation/plan of action.	PR74
5. Secure all non-essential personnel. If evacuation is ordered, issue orders. Update recall list.	PR7
6. When/where appropriate, inspect the emergency generators to ensure they are operable, top off emergency generator fuel, and secure (with exception to WWTP, A-132, A-324, 1280, Pump House).	PR732
7. Recheck potable water tank levels.	PR732; FKA
8. Ensure that emergency generators are topped off.	PR732
9. Disconnect 400 cycle units in hangars.	PR731
10. Secure all main water lines returning to potable water reservoirs.	PR731

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11. If a sheltering event is ordered, personnel and their dependents deemed to be in danger will be directed to report to designated shelters on the installation. Enclosures (9) and (10), as well as NASKWNOTE 3440 should be reviewed in their entirety.	All
12. Check equipment-staging plan.	PR733
13. Stage portable generators.	PR731
14. Conduct final inspection of facilities/utilities for hazards.	All
15. If evacuation is ordered, CAT B team, if required, report to NASKW Air Terminal for the scheduled air lift to a safe-haven if necessary.	CAT B
16. Report setting of condition II.	PR71; PR72; PR73
17. Report condition II to higher authority.	PR7

TROPICAL CYCLONE COR-1

This COR is set when the onset of destructive force winds on station is imminent. The following actions are to be completed within this COR:

CHECKLIST ITEM	RESPONSIBLE CODE(S)
1. Activate CAT A and ensure ready to respond as needed.	CAT A
2. If a sheltering event is ordered - all remaining personnel who have not yet reported to shelters should make final preparations to the installation and report to the shelters immediately.	All
3. Ensure completion of all Condition V, IV, III, and II checklist items.	All
4. Category A personnel should complete their assigned duties and report to the designated shelter.	CAT A

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5. Report setting of condition I.	PR71; PR72; PR73
6. Report condition I to higher authority.	PR7

HURRICANE/TROPICAL STORM RECOVERY

CHECKLIST ITEM	RESPONSIBLE CODE(S)
1. Key and Essential personnel immediately begin inspection and evaluation of utilities.	CAT A (Use enclosure (15) or equivalent assessment form)
2. Recovery personnel proceed directly to their place of work to assess damage and initiate clean up and repair.	CAT A (CAT B if necessary)
3. Inspect/evaluate wastewater plants, distribution systems, and lift stations. If plant was secured, start emergency generator and proceed with start up procedures.	CAT A (CAT B if necessary)
4. Inspect/evaluate water storage tanks. Inspect distribution system for main breaks and water leaks.	CAT A (CAT B if necessary)
5. Relocate excess HAZWASTE.	
6. File reports with regulators if necessary.	CAT A (CAT B if necessary)
7. Potable water assessment. If "boil water" notice has been issued, provide pamphlets to all returning residents and tape pamphlets to all facilities which prepare food.	CAT A (CAT B if necessary)
8. If needed, coordinate expedient sampling for bacteria and clearance of boil water notice from regulators.	CAT A (CAT B if necessary)
9. Inspect systems for damage. Isolate damaged facilities from distribution systems.	CAT A (CAT B if necessary)
10. Initiate repairs to systems.	CAT A (CAT B if necessary)
11. Initiate transportation operations as soon as possible.	CAT A (CAT B if necessary)
12. Clear roads, parking areas, and building entrances.	CAT A (CAT B if necessary)

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13. Refueling operations: top off emergency equipment, provide fuel as requested.	CAT A (CAT B if necessary)
15. Restore communications: establish communications with all personnel.	CAT A (CAT B if necessary)
16. De-shutter when appropriate.	CAT A (CAT B if necessary)
17. When/where appropriate, activate all generators.	CAT A (CAT B if necessary)
18. Install airfield signs.	CAT A (CAT B if necessary)

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**SECURITY DEPARTMENT
TROPICAL CYCLONE CONDITIONS OF READINESS (COR) CHECKLIST**

1. The Security Department has a significant role in safeguarding the personnel and property assigned to NASKW during a destructive weather event. The following information outlines the preparatory requirements and responsibilities of the Security Department under each COR set by Commanding Officer, NASKW.

a. Tropical Cyclone COR-5. This COR is set at the beginning of hurricane season (June 1) and remains the general state of heightened readiness throughout the hurricane season (through November 30), unless another COR is announced. The following actions are to be completed within this COR:

(1) Review and provide updates of this instruction to the NASKW Emergency Manager at the beginning of the hurricane season.

(2) Identify department personnel designated as Key and Essential personnel in enclosure (12) and submit a list containing the name and billet of these personnel to the NASKW Emergency Manager. This list must be updated monthly during tropical storm season (June 1 - November 30). This list will identify CAT A personnel who must be capable of standing watch in Key West during destructive weather; and CAT B personnel who must be capable of making final preparations to the base before the onset of destructive weather and serve as first responders after storm passage.

(3) Ensure signs are posted at guardhouses notifying personnel of the current COR.

(4) Continuously police grounds for loose gear and potential missile hazards.

(5) Review plan to safeguard all weapons and ammunition, in the event of an evacuation. Forward plans to NASKW Emergency Manager at the beginning of hurricane season (June 1).

(6) Review the parking, traffic control and evacuation plan with PWO. Primarily focusing on the orderly removal/evacuation of personnel from government quarters to local shelters or out-of-area safe havens, depending on the order of the Commanding Officer. Forward any changes to the EM at the beginning of hurricane season (June 1).

(7) Review hurricane traffic control plan as it interfaces with local law enforcement plans to ensure primary and alternate routes will be available to and from all annexes.

Enclosure (4)

(8) Review ASF activation plan. ASF members, when activated, shall muster with the Security Department until released by the Security Officer, and may be designated as Category B essential personnel if needed.

(9) Ensure the Security Department's emergency generators are fueled and tested monthly throughout the hurricane season.

(10) Update the recall bill and hurricane watch bills.

(11) Perform key control inventory.

(12) Review non-essential Security vehicles parking MOU.

b. Tropical Cyclone COR-4. This COR is set when the onset of destructive force winds on station is possible within 72 hours. The following actions are to be completed within this COR:

(1) Ensure signs are posted at guardhouses notifying personnel of the current COR.

(2) Begin to shutter assigned buildings and ensure shutter shortages have been reported to the PWD and the EM.

(3) Survey all annexes ensuring COR tasks are being accomplished. All discrepancies will be documented. Security Officer will provide the EM with discrepancies.

(4) Notify ASF of possible activation. ASF members will report to ASF coordinator prior to leaving the area.

(5) Report completion of COR-4 to the EM.

c. Tropical Cyclone COR-3. This COR is set when the onset of destructive force winds on station is possible within 48 hours. The following actions are to be completed within this COR:

(1) Ensure signs are posted at guardhouses notifying personnel of the current COR.

(2) Secure inactive and vacant Security buildings.

(3) Park non-essential Security vehicles IAW MOU.

(4) Review fuel conservation plan and restrict un-necessary driving.

(5) Protect equipment and move away from windows and exterior walls.

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(6) Ready hurricane equipment and material and begin saving water.

(7) Deliver 72 hours of Meals Ready to Eat (MRE) rations to the patrol room (Bldg A-324).

(8) Receive additional vehicles to attain CORs from PWD.

(9) Brief CO, and EM concerning evacuation time required, evacuation limitations, intended and recommended procedures.

(10) Report completion of COR-3 to the EM.

d. Tropical Cyclone COR-2. This COR is set when the onset of destructive force winds on station is possible within 24 hours. The following actions are to be completed within this COR:

(1) Ensure signs are posted at guardhouses notifying personnel of the current COR.

(2) Activate hurricane watch bill. In the event of a sheltering, muster ASF.

(3) Initiate shelter/evacuation plans, as needed.

(4) Ensure PWD secures non-essential utilities to Security buildings.

(5) Use Public Announcement System and circulate vehicles with public address systems through the housing areas to announce shelter or evacuation orders directed by the CO. Unless otherwise directed by the CO, one of the following announcements shall be made:

(a) If a sheltering event is ordered, the public announcement should state: **"TROPICAL CYCLONE CONDITION TWO IS NOW IN EFFECT. ALL RESIDENTS ARE TO PREPARE TO GO TO ASSIGNED SHELTERS. PERSONNEL WITHOUT MEANS OF TRANSPORTATION SHOULD NOTIFY SECURITY FOR ASSISTANCE. NO BOATS, TRAILERS OR PETS ARE PERMITTED. PREPARE TO GO TO ASSIGNED SHELTERS."**

(b) If an evacuation is ordered, the public announcement should state: **"TROPICAL CYCLONE CONDITION TWO IS NOW IN EFFECT. BY ORDER OF THE COMMANDING OFFICER, ALL NASKW PERSONNEL ARE TO EVACUATE AND REPORT TO THE PRIMARY EVACUATION COORDINATION CENTER IN ORLANDO, FLORIDA. THE TELEPHONE NUMBER FOR THE EVACUATION COORDINATION CENTER IS (877) 822-7213. PERSONNEL WITHOUT MEANS OF TRANSPORTATION SHOULD NOTIFY THEIR CHAIN OF COMMAND. ALL TENANT ACTIVITY PERSONNEL SHOULD CONTACT THEIR COMMANDS FOR FURTHER DIRECTION."**

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(6) If a sheltering event is ordered, personnel and their dependents residing in government quarters deemed to be in danger will be directed to report to designated shelters on the installation. The Shelter Guide, enclosure (9), should be reviewed in its entirety.

(7) Report completion of COR-2 to the EM.

e. Tropical Cyclone COR-1. This COR is set when the onset of destructive force winds on station is imminent. The following actions are to be completed within this COR:

(1) Ensure signs are posted at guardhouses notifying personnel of the current COR.

(2) During 40/35 mph/kts sustained winds, secure all gates/guardhouses, mobile patrols and lower drop-arms. Notify Security Officer of secured gates. Security personnel must be readily available to re-open the gates at the direction of the Security Officer.

(3) Detail non-essential personnel to their assigned shelters.

(4) If evacuation is ordered - Category B personnel should complete final preparations and evacuate upon completion.

(5) Report completion of COR-1 to the EM.

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**AIR OPERATIONS DEPARTMENT
TROPICAL CYCLONE CONDITION OF READINESS (COR) CHECKLIST**

1. The NASKW Air Operations Department is responsible for a wide range of actions in preparing for a tropical cyclone. The following information outlines the requirements under each COR ordered by CO, NASKW.

a. Tropical Cyclone COR-5. This COR is set at the beginning of tropical cyclone season (1 June) and remains the general state of heightened readiness throughout the tropical cyclone season (through 30 November), unless another COR is announced. The following actions are to be completed within this COR:

(1) All assigned grounds should be policed for loose gear and potential missile hazards. This action should be done continuously throughout the entire tropical cyclone season.

(2) Review and provide updates of this instruction to the EM at the beginning of the tropical cyclone season.

(3) Identify department personnel designated as Key and Essential personnel in enclosure (12) and submit a list containing the name and billet of these personnel to the NASKW EM. This list must be updated monthly during tropical cyclone season (1 June - 30 November). This list will identify CAT A personnel who must be capable of standing watch in Key West during destructive weather; and CAT B personnel who must be capable of making final preparations to the base before the onset of destructive weather and serve as first responders after storm passage.

(4) Review and update the NASKW aircraft evacuation plan.

(5) Review and update the aircraft and equipment protection/disposition plan.

(6) The Ground Electronics (GE) Division shall:

(a) Assign personnel to the EOC.

(7) Establish an equipment storage plan for hangars A-936 and A-981.

b. Tropical Cyclone COR-4. This COR is set when the onset of destructive force winds on station is possible within 72 hours. The following actions are to be completed within this COR:

(1) Inspect all assigned buildings and areas to ensure they

Enclosure (5)

are clear of loose gear and trash is removed and stowed.

(2) Begin to shutter assigned buildings and ensure shutter shortages are reported to PWD and the EM.

(3) Notify visiting detachments of anticipated destructive weather and advise detachments to depart NASKW.

(4) Prepare personnel who staff the EOC in Marathon, Key West and NASKW for deployment no later than the setting of COR-3.

(5) Report attainment of COR-4 to the Quarterdeck.

c. Tropical Cyclone COR-3. This COR is set when the onset of destructive force winds on station is possible within 48 hours. The following actions are to be completed within this COR:

(1) Completely secure all inactive and vacant Air Operations buildings.

(2) Prepare the interior of all assigned buildings by grouping the contents away from windows and exterior walls, and cover.

(3) Ensure that any hurricane equipment and material is easily accessible, and begin saving water.

(4) Defuel and secure all grounded aircraft in the hangars, and top off the fuel tanks of all other aircraft.

(5) Implement aircraft evacuation plan upon direction from the Air Operations Officer.

(6) Place AN/TSQ-6 Greenhouse and Ground Controlled approach (GCA) generator in hangar.

(7) Ensure that all field equipment is secured and protected.

(8) GE Division check generators for proper operation.

(9) Report attainment of COR-3 to the Quarterdeck.

d. Tropical Cyclone COR-2. This COR is set when the onset of destructive force winds on station is possible within 24 hours. The following actions are to be completed within this COR:

(1) Man watch in EOC.

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(2) Secure the airfield and stow movable equipment as soon as evacuation is completed. Issue field closure via Notice to Airmen (NOTAM).

(3) Secure non-essential utilities.

(4) If a sheltering event is ordered, personnel and their dependents residing in government quarters deemed to be in danger will be directed to report to designated shelters on the installation. Enclosures (9) and (10), as well as NASKWNOTE 3440 should be reviewed in their entirety.

(5) Report attainment of COR-2 to the Quarterdeck.

e. Tropical Cyclone COR-1. This COR is set when the onset of destructive force winds on station is imminent. The following actions are to be completed within this COR:

(1) If a sheltering event has been ordered - all remaining personnel who have not yet reported to shelters make final preparations to the installation and report to the shelters immediately.

(2) If evacuation has been ordered - CAT B personnel should complete the final preparations and report safe-haven via transportation guidelines prescribed by the CO. CAT A personnel should complete their assigned duties and report to the designated shelter.

(3) Report attainment of COR-1 to the Quarterdeck.

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**PORT OPERATIONS DEPARTMENT
TROPICAL CYCLONE CONDITION OF READINESS (COR) CHECKLIST**

1. The Port Operations Department is responsible for a wide range of activities involving the harbor and small craft during the preparation for a hurricane. The following information outlines the preparatory requirements under each COR set.

a. Tropical Cyclone COR-5. This COR is set at the beginning of tropical cyclone season (1 June) and remains the general state of heightened readiness throughout the tropical cyclone season (through November 30), unless another COR is announced. The following actions are to be completed within this COR:

(1) All assigned grounds and piers should be policed for loose gear and potential missile hazards. This action should be done continuously throughout the entire hurricane season.

(2) Review and provide updates of this instruction to the NASKW Emergency Manager at the beginning of the topical cyclone season.

(3) Identify department personnel designated as Key and Essential personnel in enclosure (12) and submit a list containing the name and billet of these personnel to the NASKW EM. This list shall be updated monthly during tropical cyclone season (1 June - 30 November). This list will identify CAT A personnel who must be capable of standing watch in Key West during destructive weather; and CAT B personnel who must be capable of making final preparations to the base before the onset of destructive weather and serve as first responders after storm passage.

(4) Review and update the small craft and equipment protection/disposition plan, and the equipment storage plan.

b. Tropical Cyclone COR-4. This COR is set when the onset of destructive force winds on station is possible within 72 hours. The following actions are to be completed within this COR:

(1) Inspect all assigned buildings, piers and areas to ensure they are clear of loose gear and that trash is removed and stowed.

(2) Begin installing shutters on assigned buildings and ensure shutter shortages have been reported to PWD and the EM.

(3) Notify visiting ships of the anticipated destructive weather and advise the ships to prepare to depart NASKW.

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(4) Report attainment of COR-4 to the Quarterdeck.

c. Tropical Cyclone COR-3. This COR is set when the onset of destructive force winds on station is possible within 48 hours. The following actions are to be completed within this COR:

(1) Completely secure all Port Operations' buildings. Remove all portable and moveable equipment from Navy piers.

(2) Prepare the interior of all assigned buildings by grouping the contents away from windows and exterior walls, and cover.

(3) All ships at Navy piers shall depart immediately upon setting COR-3. Navy piers will remain closed to all waterfront activities, not associated with storm preparations, until the passage of destructive force winds and the CO has determined that it is safe to reopen the Navy piers.

(4) Ensure that any hurricane equipment and material is easily accessible, and begin saving water.

(5) Ensure all boats, trailers, vehicles and other harbor equipment are secured and protected.

(6) Report attainment of COR-3 to the Quarterdeck.

d. Tropical Cyclone COR-2. This COR is set when the onset of destructive force winds on station is possible within 24 hours. The following actions are to be completed within this COR:

(1) Secure non-essential utilities.

(2) If a sheltering event is ordered, personnel and their dependents residing in government quarters deemed to be in danger will be directed to report to designated shelters on the installation. Enclosures (9) and (10), as well as NASKWNOTE 3440 should be reviewed in their entirety.

(3) Report attainment of COR-2 to the Quarterdeck.

e. Tropical Cyclone COR-1. This COR is set when the onset of destructive force winds on station is imminent. The following actions are to be completed within this COR:

(1) If a sheltering event is ordered - all remaining personnel who have not yet reported to shelters make final preparations to the installation and report to the shelters immediately.

Enclosure (6)

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(2) If evacuation is ordered - CAT B personnel should complete the final preparations and report safe-haven via transportation guidelines prescribed by the CO. CAT A personnel should complete their assigned duties and report to the designated shelter.

(3) Report attainment of COR-1 to the Quarterdeck.

2. Pursuant to the Lease dated June 26, 2003, between the City of Key West, Florida (City) and the United States of America, acting by and through the Department of the Navy, the City leased, on a non-exclusive basis, the Truman Annex Outer Mole Pier berth for the purpose of docking cruise ships and passenger disembarkation and embarkation. As a condition of the Lease the City agreed to adhere to all base rules and regulations regarding security, ingress, egress, safety and sanitation as may be prescribed from time to time by the CO. The following information outlines the City's preparatory requirements under each COR setting.

a. Tropical Cyclone COR-5. This COR is set at the beginning of tropical cyclone season (1 June) and remains the general state of heightened readiness throughout the tropical cyclone season (through 30 November), unless another COR is announced. The following actions are to be completed within this COR:

(1) The Outer Mole berth shall be policed for loose gear and potential missile hazards. This action shall be done continuously throughout the entire tropical cyclone season.

(2) The City shall provide the EM and Port Operations Officer with a 24 hour emergency contact telephone number to ensure that communication is available after normal working hours and on weekends or holidays.

(3) The City shall provide the EM and Port Operations Officer with a list of supervisory city personnel that are responsible for compliance with the Outer Mole Pier berth COR. The list shall contain the each individual's name, position, area of responsibility, work telephone number and work cellular phone number. This list shall be updated monthly during tropical cyclone season (1 June - 30 November).

b. Tropical Cyclone COR-4. This COR is set when the onset of destructive force winds on station is possible within 72 hours. The following actions are to be completed within this COR:

(1) Inspect the Outer Mole Pier berth to ensure it is clear of loose gear and that all trash is removed from Navy property.

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(2) If a cruise ship is berthed at the Outer Mole Pier, notify the ship of anticipated destructive weather and advise the ship to prepare for departure.

(3) Report attainment of COR-4 to the Quarterdeck.

c. Tropical Cyclone COR-3. This COR is set when the onset of destructive force winds on station is possible within 48 hours. The following actions are to be completed within this COR:

(1) Remove all portable and moveable City owned or operated equipment from the Mole Pier and Navy property; including, without limitation, all portable barriers, fences, shelters, tents, chairs, bleachers, signs, trash cans and port-a-potties.

(2) If a cruise ship is berthed at the Outer Mole Pier, the ship shall depart immediately upon setting COR-3, unless prior permission to remain until the ship's scheduled sailing time has been granted by the CO. The Navy Mole Pier will remain closed to all waterfront activities, not associated with storm preparations, until the passage of destructive force winds and the CO has determined that it is safe to reopen the Pier.

(3) Report attainment of COR-3 to the Quarterdeck.

d. Tropical Cyclone COR-2. This COR is set when the onset of destructive force winds on station is possible within 24 hours. The following actions are to be completed within this COR:

(1) The Navy Mole Pier will remain closed to all waterfront activities, not associated with storm preparations, until the passage of destructive force winds and the CO has determined that it is safe to reopen the Pier.

(2) The City has no reporting requirement for COR-2.

e. Tropical Cyclone COR-1. This COR is set when the onset of destructive force winds on station is imminent. The following actions are to be completed within this COR:

(1) The Navy Mole Pier will remain closed to all waterfront activities until the passage of destructive force winds and the CO has determined that it is safe to reopen the Pier.

(2) The City has no reporting requirement for COR-1.

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**NAVAL AIR STATION KEY WEST DEPARTMENT
TROPICAL CYCLONE CONDITION OF READINESS (COR) CHECKLIST**

1. All Departments on board NASKW are responsible for preparing NASKW for the onset of destructive weather. The following information outlines the preparatory requirements under each COR set by CO, NASKW. All departments are encouraged to create procedures specific to their own department in order to assist in attaining the requirements of this enclosure. Any department-specific procedures shall be provided to the EM prior to the beginning of tropical cyclone season (June 1).

a. Tropical Cyclone COR-5. This COR is set at the beginning of tropical cyclone season (1 June) and remains the general state of heightened readiness throughout the season (through 30 November), unless another COR is announced. The following actions are to be completed within this COR:

(1) All assigned grounds should be policed for loose gear and potential missile hazards. This action shall be done continuously throughout the entire tropical cyclone season.

(2) Identify department personnel designated as Key and Essential personnel in enclosure (12) and submit a list containing the name and billet of these personnel to the NASKW EM. This list must be updated monthly during tropical cyclone season (1 June - 30 November). This list will identify CAT A personnel who must be capable of standing watch in Key West during destructive weather; and CAT B personnel who must be capable of making final preparations to the base before the onset of destructive weather and serve as first responders after storm passage.

b. Tropical Cyclone COR-4. This COR is set when the onset of destructive force winds on station is possible within 72 hours. The following actions are to be completed within this COR:

(1) Inspect all assigned buildings and areas to ensure they are clear of loose gear and trash is removed and stowed.

(2) Begin installing shutters to spaces and ensure any shutter shortages are reported to PWD and the EM.

(3) Report attainment of COR-4 to the Quarterdeck.

c. Tropical Cyclone COR-3. This COR is set when the onset of destructive force winds on station is possible within 48 hours. The following actions are to be completed within this COR:

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- (1) Completely secure all inactive and vacant spaces.
- (2) Prepare the interior of all assigned buildings/spaces by grouping the contents away from windows and exterior walls, and cover.
- (3) Ensure that any hurricane equipment and material is easily accessible, and begin saving water.
- (4) Report attainment of COR-3 the Quarterdeck.

d. Tropical Cyclone COR-2. This COR is set when the onset of destructive force winds on station is possible within 24 hours. The following actions are to be completed within this COR:

- (1) If a sheltering event is ordered, personnel and their dependents residing in government quarters deemed to be in danger will be directed to report to designated shelters on the installation. Enclosures (9) and (10), as well as NASKWNOTE 3440 should be reviewed in their entirety.

- (2) Report attainment of COR-2 to the Quarterdeck.

e. Tropical Cyclone COR-1. This COR is set when the onset of destructive force winds on station is imminent. The following actions are to be completed within this COR:

- (1) If a sheltering event is ordered - all remaining personnel who have not yet reported to shelters make final preparations to the installation and report to the shelters immediately.

- (2) If evacuation is ordered - CAT B personnel should complete the final preparations and report to safe-haven via transportation guidelines prescribed by the CO. CAT A personnel should complete their assigned duties and report to the designated shelter.

- (3) Report attainment of COR-1 to the Quarterdeck.

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**TENANT ACTIVITY
TROPICAL CYCLONE CONDITION OF READINESS (COR) CHECKLIST**

1. Tenant activities are required to take specific actions to safeguard personnel and property from destructive weather events effecting the installation. The following information outlines the preparatory requirements under each COR set. All activities are encouraged to take extra precautions, as needed, in addition to these directives. All tenant activities shall provide a copy of any additional hurricane plans to the NASKW EM prior to the beginning of tropical cyclone season (1 June).

a. Tropical Cyclone COR-5. This COR is set at the beginning of hurricane season (1 June) and remains the general state of heightened readiness throughout the tropical cyclone season (through 30 November), unless another COR is announced. The following actions are to be completed within this COR:

(1) Police all grounds for loose gear and potential missile hazards. This shall be done continuously throughout the entire tropical cyclone season.

(2) Update tenant activity destructive weather plan and forward a copy to the EM.

(3) Identify personnel designated as Key and Essential personnel in enclosure (12) and submit a list containing the name and billet of these personnel to the EM. This list shall be updated monthly during tropical cyclone season (1 June - 30 November). This list will identify CAT A personnel who must be capable of standing watch in Key West during destructive weather; and CAT B personnel who must be capable of making final preparations to the base before the onset of destructive weather and serve as first responders after storm passage.

b. Tropical Cyclone COR-4. This COR is set when the onset of destructive force winds on station is possible within 72 hours. The following actions are to be completed in this COR:

(1) Inspect all assigned buildings and areas to ensure they are clear of loose gear, and trash is removed and stowed.

(2) Shutters should be installed on assigned buildings if available. Report all shutter shortages to Public Works.

(3) Report attainment of COR-4 to the NASKW Quarterdeck.

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c. Tropical Cyclone COR-3. This COR is set when the onset of destructive force winds on station is possible within 48 hours. The following actions are to be completed in this COR:

- (1) Completely secure all inactive and/or vacant buildings.
- (2) Secure or remove all movable awnings on assigned buildings.
- (3) Prepare the interior of all assigned buildings by grouping the contents away from windows and exterior walls, and cover.
- (4) Ensure that any hurricane equipment and material is easily accessible, and begin saving water.
- (5) Report attainment of COR-3 to the NASKW Quarterdeck.

d. Tropical Cyclone COR-2. This COR is set when the onset of destructive force winds on station is possible within 24 hours. The following actions are to be completed in this COR:

- (1) Secure all non-essential utilities and man essential watch stations.
- (2) If a sheltering event is ordered, personnel and their dependents residing in government quarters deemed to be in danger will be directed to report to designated shelters on the installation. Enclosures (9) and (10), as well as NASKWNOTE 3440 should be reviewed in their entirety.

- (3) Report attainment of COR-2 to the NASKW Quarterdeck.

d. Tropical Cyclone COR-1. This COR is set when the onset of destructive force winds on station is an imminent threat. The following actions require immediate action.

- (1) If a sheltering event is ordered - all remaining personnel who have not yet reported to shelters make final preparations to the installation and report to the shelters immediately.

- (2) If evacuation is ordered - CAT B personnel should complete the final preparations and report to safe-haven via transportation guidelines prescribed by the CO. CAT A personnel should complete their assigned duties and report to the designated shelter.

- (3) Report attainment of COR-1 to the NASKW Quarterdeck.

NAVAL AIR STATION KEY WEST (NASKW)
HURRICANE SHELTER GUIDE

1. Discussion. The CO, NASKW will order personnel to shelter when necessary to ensure their safety. The CO will generally order the local shelters to be opened when a category 1 or 2 hurricane threatens to impact NASKW. However, the order to shelter may be limited depending upon storm strength, direction, and predicted effects of the storm surge. For example, residents on Truman Annex may be ordered to shelter during a category 1 hurricane, while Sigsbee Park and Trumbo Point residents may not be ordered to shelter until a category 2 storm is expected. The following information outlines operating procedures as well as rules and regulations pertaining to local hurricane shelters located on board NASKW. The purpose of a shelter is to provide a safe-haven from the storm. It should be expected that the traditional comforts of home will not be available.

a. Concept of Operations (CONOPS)

(1) Priority for sheltering shall be given to U. S Government affiliated residents of NASKW Public Private Venture (PPV) family housing and other on-base Government Quarters displaced by the shelter order. This plan provides specific guidance to execute this priority. Secondarily, additional shelter sites are identified and will be made available for NASKW and Tenant Activity employees and their immediate family members living on the economy.

(2) Specific buildings on board NASKW have been designated shelters because they have the engineering criteria and structural integrity to provide safe harbor in the event of a category 1 or 2 hurricane. Prior to the beginning of each tropical cyclone season (1 June), the XO and EM shall identify the Hurricane Shelter Officer (HSO) who shall be responsible to the CO for assuring shelters and plans are in their highest state of readiness for the upcoming season. The HSO and EM shall request NAVFAC SE Det PWD Key West to inspect all shelters to ensure their suitability as hurricane shelters. The XO and EM shall identify Shelter Officers (SO) (active duty military E-6 or above) from NASKW Departments and Tenant Activities to be designated in writing at the beginning of each hurricane season. The EM will coordinate the operation of the local shelters with the HSO and SOs. All discrepancies shall be immediately reported to the XO or CDO. The SOs will be assigned shelters and will be responsible the operational preparedness of the shelter during each COR setting, as well as the operation of the shelter during a sheltering event.

(3) The SOs shall ensure that the each shelter has a stocked hurricane locker containing:

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- | | |
|--------------------------------|---------------------------------|
| 1. Swabs-2/floor | 11. Masking Tape-5RO/bldg |
| 2. Buckets-2/floor | 12. Duct Tape-5RO/bldg |
| 3. Hand Soap-4Bx/Bldg | 13. Flashlights-15/bldg |
| 4. Toilet paper-1 Bx/bldg | 14. D Batteries-3pck/bldg |
| 5. Assembly lantern-3/bldg | 15. Disinfectant Oil-2GL/bldg |
| 6. Switch lantern-3/bldg | 16. First Aid Kit-1/bldg |
| 7. 6V Batteries-3/lantern | 17. Insect Rep.-6cans/bldg |
| 8. Replacement bulbs-1/lantern | 18. Insect Spray-5cans/bldg |
| 9. Nylon line-600'/bldg | 19. Water pur. tabs-1 case/bldg |
| 10. Rope-600'/bldg | 20. Portable Toilet-2/bldg |

(4) The EM and SO shall coordinate with the Security Department and the NAS Key West Housing Director to ensure that shelter check-in is accomplished in an orderly and safe manner.

(5) The CO's order to shelter will be communicated to NASKW departments and tenant activities via the EM. Notification may be accomplished by Voice Mass Notification System, e-mail and/or telephone, World Wide Web (websites and social networking), and posted at the entry control point marquees. The decision to shelter will also be announced at department head meetings and tenant activity meetings when possible.

(6) Navy Branch Health Clinic (NBHC) should coordinate with Fire and Emergency Services to provide one Corpsman or Emergency Medical Technician to each shelter. The HSO will designate one room to be used as a first aid and medical treatment room for the shelter. The building SO will include the location of the Medical Room to all sheltering personnel as part of the check-in briefing.

b. Shelter Procedures

(1) When personnel are ordered to shelter they shall first secure their homes. This should include securing both the interior and exterior of the home. Property should be moved away from windows and exterior walls, and outdoor furniture, trash cans etc. should be stowed and secured.

(2) Personnel should pack clothing, food, water, and hurricane emergency kits (including flashlights and batteries) to take with them to the shelter.

(3) Personnel with pets should arrange to board their pets with local kennels, if possible. Pets are not allowed in the hurricane shelters nor are they allowed to remain in base housing during a sheltering event. Resources permitting, a designated pet

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shelter may be established (building A-931, FISC warehouse for example) onboard Boca Chica Field. All pets boarded on base must be in a size-appropriate portable kennel before reporting to the designated pet shelter. Because building configurations and other circumstances change, NASKWNOTE 3440 will contain updated information specific to each calendar year's sheltering plan.

(4) Personnel shall check-in with the SO immediately upon entering the shelter. The SOs are the CO's representatives and their orders shall be followed. No one is allowed to leave the shelter for any reason without the permission of the SO.

(5) Upon checking in with the SO, each person will be assigned a room. Personnel need to note that due to the limited number of hurricane shelters, there may be more than one family assigned to a room.

(6) Personnel requiring transportation to the local shelters should contact the Security Department at 305-293-2531.

(7) Shelter Rules. Sheltered personnel shall:

(a) Not bring pets to shelters. All pets should be kenneled and taken to the designated pet shelter.

(b) Not possess alcohol in the shelters or adjacent property.

(c) Not possess firearms, ammunitions or explosives on board NASKW.

(d) Not use cooking devices or flammable liquids.

(e) Not smoke in shelters.

(f) Register immediately upon entering the shelter and cooperate with all orders of the SO and other personnel operating the shelter.

(g) Bring food and supplies. Each person must provide their own food, water, blankets, sheets, pillows, and toiletries; enough for three days. One gallon of water per person per day, and non-perishable canned food that does not require cooking is recommended. Items such as ready-to-eat meats, fruits, vegetables, canned juices, high-energy foods such as peanut butter, jelly, crackers, granola bars, trail mix, and other snack foods.

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Special dietary concerns should be addressed including baby food or formula. A manual can opener and eating and drinking utensils including paper plates is highly recommended.

- (h) Bring required medications to the shelter.
- (i) Bring their own disposable diapers for babies, and bring small toys, games, and books for amusement of children.
- (j) Not remove any items (i.e., TVs, VCRs, furniture) from shelters.
- (k) Bathe (if possible) and eat before leaving home.
- (l) Military personnel entering the shelters are in a duty status, and shall conduct themselves appropriately.
- (m) Be held strictly accountable for the conduct of their family members.
- (n) Clean the shelter before it is vacated.
- (o) Not leave the shelter without permission of the SO.

c. Shelter Assignments

(1) Shelter facilities are for all personnel living in on base Government or Public Private Venture (PPV) Quarters. Shelter assignment is determined by the physical address of the residence (See Hurricane Shelter Assignments table below).

(2) Personnel assigned to NASKW and Tennant Activities who reside on the economy are authorized to shelter on base. For shelter assignment these personnel shall report to the Chief Petty Officer's Mess Training Room (southwest corner of Bldg A-350 Boca Chica Field) where they will receive shelter assignment. Employees are reminded that Monroe County and the City of Key West offer hurricane sheltering at the Key West High School and Sugarloaf Middle School. Traveling to Boca Chica Field may not be the best option during the onset of destructive weather. Personal sheltering decisions must be made early to avoid hazardous driving conditions.

(3) Those members who are on PCS orders and are in temporary quarters at Morale Welfare or Navy Gateway Inns and Suites will shelter in Building 439 on Truman Annex.

(4) Those personnel who are live-aboards at the MWR Boca Chica Field Marina will shelter in building A-649 Boca Chica Field.

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(5) Shelter will not be provided for non-affiliated residents of PPV housing. These individuals are required to vacate their PPV housing upon order by the CO NASKW and seek shelter within the City of Key West or Monroe County.

(6) The purpose of a Shelter is to provide a safe-haven from the storm. It can be expected that many of the traditional comforts of home will not be available. In addition, personal expenditures associated with sheltering at a military facility are not reimbursable under Joint Federal Travel and Joint Travel Regulations (JTFR Volume I/JTR Volume II).

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HURRICANE SHELTER ASSIGNMENTS

Primary Shelters (priority for on base housing residents)

SHELTER #	CAPACITY	ASSIGNMENT	ASSIGNED # (REMAINING AVAILABLE)
Truman Annex 437	475	All Residents of Trumbo Point Annex	329 (146)
Truman Annex 438	525	All Residents of Peary Court	471 (54)
Truman Annex 439	525	All Residents of Truman Annex, JIATF-S Watch Standers, those on PCS orders and in temporary lodging with MWR or NGIS	271 (254)
Boca Chica Field A-638	252	Sigsbee Park Streets: Bowfin Court, Batfish Court	245 (7)
Boca Chica Field A-639	252	Sigsbee Park Streets: Seahorse Court, Salmon Court, Sealion Court, Spadefish Court, Tang Court, Trout Court, Tinoso Court, Tunney Court	209 (43)
Boca Chica Field A-648	452	Sigsbee Park Streets: Stephen Mallory Road, Matthew Peary Road, David Porter Road, on Duty Station 1 Fire Fighters	393 (59)
Boca Chica Field A-649	460	Sigsbee Park Streets: Dewey Road, Truxton Road, Farragut Road. Residents on Navy Branch Health Clinic, Boca Chica Marina Live-Aboards	407 (53)
Boca Chica Field A-727	1160	Sigsbee Park: Gilmore Drive,	707 (453)
Fleming Key KW 100/500	200	U.S. Army Spec. Ops	

Total Capacity: 4,301
Total Assigned: 3,017
Total Available: (1,084)

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Secondary Shelters (available for contingency use)

Building	First Floor Capacity	Second Floor Capacity	TOTAL
A-626	139	146	285
A-629	193	165	358
A-711	45	53	99
A-718	115	94	209
A-4165	296	N/A	296
A-4203	111	94	206
		Total	1452

OUT-OF-AREA EVACUATION SAFE HAVEN LOCATIONS

1. The primary out-of-area safe-haven is Orlando, Florida. The ECC will be established at the Orlando Armed Forces Reserve Center. The address and telephone numbers for the ECC at the Orlando Armed Forces Reserve Center (AFRC) is:

2700 Dowden Road (Corner of 4th ST and Boggy Creek RD)
Orlando, FL 32827
(877) 822-7213 (Recorded Message)
(800) 221-9401 ext 2117 (CDO)
(321) 239-4226 (CDO Cell Phone)

2. Directions from Key West to the ECC at the Orlando AFRC are:

- * Take US 1 North to the Florida Turnpike.
- * Stay on the Florida Turnpike North to Orlando.
- * I-4 East to Exit 249.
- * Turn left on Dart Boulevard (becomes East Osceola Parkway).
- * Turn right on Country Road 527.
- * Turn right on 4th Street (becomes Dowden Road)
- * Continue on Dowden Road arriving at AFRC.

3. Secondary safe-havens are available if Orlando is not a safe option. The information concerning these secondary safe-havens is provided below.

a. Patrick Air Force Base:

(1) Telephone number: (800) 470-7232.

(2) Directions:

- * Take US 1 North to the Florida Turnpike North.
- * Drive north on the turnpike as far as the Fort Pierce exit.
- * Follow signs to I-95 north and take I-95 north to exit #73 Wickham Road.
- * Turn right onto Wickham Road and proceed to the Pineda Causeway intersection (look for signs to Patrick AFB).
- * Turn left onto Pineda Causeway and proceed until you see signs for PAFB. Ask gate guard for directions.
- * For information call (800) 470-7232.

b. MacDill Air Force Base:

(1) Telephone number: (813) 828-4361 / (DSN) 968

(2) Directions:

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- * Take US 1 North to the Florida Turnpike North.
- * Drive North on the Turnpike following signs to I-75 north.
- * Take I-75 North to Tampa.
- * At exit #50 you will get onto the Crosstown Expressway.
- * Proceed on the Crosstown Expressway until it ends at the Dale Mabry Highway.
- * Follow signs to Dale Mabry Highway south to lead into the main gate at MacDill AFB.
- * Once on station, proceed to Hangar #4 for processing.
- * Base Command Post (813) 828-4361 or DSN 968-4361.

Orlando Area Hotels

During an evacuation to the Orlando area safe-haven, it is the individual responsibility for lodging. There are many hotels and motels in the Orlando area but they may become rapidly filled during an evacuation. It is therefore recommended that the individual make reservations as soon as possible once an evacuation order has been issued. Information on evacuation area hotels can be found on the NASKW World Wide Web site <https://www.cnic.navy.mil/KeyWest> under the hurricane quick link.

Travel Orders and Claims

All personnel must maintain up to date personal information in the Total Workforce Management System (TWMS) to include dependent data. TWMS is the source from which evacuation orders are issued for sponsors and dependents. Military members must have correct Page 2s on file and ensure dependent data is correct in Navy Standard Integrated Personnel System (NSIPS) for TWMS to have the correct data. **Note: Not having correct data in NSIPS will delay the issuance of orders for dependents and may delay reimbursement of travel claims.** The Commander, Navy Region Southeast (CNRSE) Financial Management Key West Storefront will be responsible for the issuance of orders to Departments. Travel orders for military members should be issued via the Defense Travel System (DTS).

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NAVAL AIR STATION KEY WEST
HURRICANE ROSTER OF KEY AND ESSENTIAL PERSONNEL

CATEGORY A-CRITICAL COMMAND AND EMERGENCY SERVICES PERSONNEL					
CBMU 202					
ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
Team Leader		EOC			LCPO
Builder/Surveyor		EA1			LCPO
Equipment Operations		EO2			LCPO
Equipment Operations		EOCN			LCPO
Equipment Operations		EO2			LCPO
Mechanic		CM2			LCPO
Equipment Operations		EOCN			LCPO
	7				
COMMAND GROUP					
ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel #	Muster POC
Commanding Officer		CAPT	305-797-4342		EM
Business Manager		YC-02	305-797-0158		EM
Hurricane CDO			305-797-4428		EM
	3				
EMERGENCY MANAGEMENT (EM + 3 to remain)					
ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
Emergency Manager		YA-02	305-797-1210		EM
Emergency Dispatcher					EM
Emergency Dispatcher					EM
	3				
FIRE DEPARTMENT					
ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
Fire Chief/EOC		YN-2	305-797-4401	N/A	Fire Chief
Batt Chief/Boca Chica		GS-09			Fire Chief

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FF/Boca Chica		GS-08		Fire Chief
FF/Boca Chica		GS-06		Fire Chief
FF/Boca Chica		GS-07		Fire Chief
FF/Boca Chica		GS-06		Fire Chief
Batt. Chief/Trumbo Pt.		YN-1		Fire Chief
FF/Trumbo Point.		GS-07		Fire Chief
FF/Trumbo Point.		GS-06		Fire Chief
FF/Trumbo Point		GS-07		Fire Chief
FF/Trumbo Pt.		GS-07		Fire Chief
FF/Truman Annex		GS-07		Fire Chief
FF/Truman Annex		GS-06		Fire Chief
FF/Truman Annex		GS-07		Fire Chief
FF/Truman Annex		GS-06		Fire Chief
	15			Fire Chief

MWR

ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
Head, MWR Maintenance					MWR Director
	1				

HOUSING DEPARTMENT

ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
Site Manager					Housing Manager
	1				

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JIATF-S

ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
Director for Logistics & Contracting		CIV			J4
Hurricane Officer		CIV			J4
JIATFS Liaison to NASKW EOC		CIV			J4
OIC, Disaster Control Team		CIV			J4
Security Specialist		CIV			J4
Security Specialist		CIV			J4
Security		CONT	x5398		J4
Security		CONT	x5398		J4
Security		CONT	x5398		J4
Generator Technician		CONT	305-797-1432		J4
	10				

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AIR OPERATIONS					
ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
Field Service LCPO		ABHC		159*53673*34	LCPO
Air Traffic Controller		AC1			LCPO
Air Traffic Controller		ACAN			LCPO
Ground Elect. Technician		ET3			LCPO
Ground Elect. Technician		ET2			LCPO
Airfield Manager		CIV	305-797-0294	158*42*1610	LCPO
	6				
PUBLIC WORKS					
ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
PWO		O-4	(305) 797- 4294	None	PWO

FS Director		WS13	(305) 797-4297	159*115384*6	PWO
FS Maintenance Ops Supervisor		WS10	(305) 797-4296	159*115384*5	PWO
PM Supervisor		WS10	(305) 797-4303	159*115384*9	PWO
Supervisor, Electrician		WG10	(305) 797-4298	159*115384*7	PWO
BSVE Director		GS12	(305)-797-4306	159*115384*11	PWO
	6				
U S ARMY SPECIAL FORCES					
Position 1		CIV			
Position 2		CIV			
Position 3		SSG			
Position 4		SFC			
	4				
SECURITY DEPARTMENT					
ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
Security Officer/EOC		O-3/4	305-797-4418	158*48*563	SECO
Operations Chief/EOC		E-7	305-797-0988	158*48*143	SECO
Monroe County/KW EOC		GS-9	305-304-2069		SECO
Patrolman		E-6	305-797-0119	158*48*103	SECO
Watch Commander		E-6	305-797-0986	158*48*142	SECO

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Hurricane Coord/ EOC		MA2	305-797-1202	158*48*253	SECO
K-9 Patrol		MA3	305-797-1193	158*48*249	SECO
Watch Commander		MA1	305-797-4423	158*48*568	SECO
Patrol Supervisor		GS-6	305-797-4423	158*48*568	SECO
Patrol Supervisor		GS-6			SECO
Patrolman		MA2		158*48*566	SECO
Patrolman		MA2			SECO
Patrolman		MA2			SECO

Patrolman		MA2			SECO
Patrolman		MA2			SECO
Patrolman		MA2			SECO
Patrolman		MA3			SECO
Patrolman/Armorer		MA3			SECO
Patrolman		MA3			SECO
Patrolman		MA3			SECO
Patrolman		MA3			SECO
Patrolman		MASN			SECO
Patrolman		MA2			SECO
Patrolman		MASN			SECO
Patrolman/Armorer		MA3			SECO
Patrolman		GS-5			SECO
Patrolman		GS-5			SECO
Patrolman		GS-5			SECO
Patrolman		GS-5			SECO
Patrolman		MA3			SECO
Patrolman		GS-5			SECO

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SUPPLY

ASSIGNMENT	NAME	GRADE	Gov't Cell Phone or Contact Phone	Nextel Direct Connect #	Muster POC
Warehouse Leader		WL-05			FISC OIC
Inventory Mgmt		YA			FISC OIC
	2				

WEATHER WARNING DEFINITIONS

1. Weather terminology used in NASKW warnings.

<u>Types of Destructive Weather</u>	<u>Corresponding Wind Speed and Weather</u>
-------------------------------------	---

THUNDERSTORM	Thunderstorms are forecast to impact the warning area. Expect winds gusting to less than 50 knots, lightning, and hail less than ¾ inches in diameter.
--------------	--

SEVERE THUNDERSTORM	Severe thunderstorms are forecast to impact the warning area. Expect winds gusting to 50 knots or more, lightning, and hail greater than ¾ inch in diameter.
---------------------	--

TORNADO	A violent, rotating column of air. Wind speed estimates are between 100 and 300 knots.
---------	--

TROPICAL CYCLONE Tropical system with winds 50 knots or greater. Heavy rains, thunderstorms, lightning, tornadoes, storm surge, and hail may also be expected.

SMALL CRAFT WARNING	Sustained winds 18-33 knots with higher gusts.
---------------------	--

GALE WARNING	Sustained winds (non-tropical) between 34 and 47 knots.
--------------	---

STORM WARNING	Sustained winds (non-tropical) of 48 knots or greater.
---------------	--

WATERSPOUT A cloud in the form of a pendant extending down to and touching the surface of the water. Waterspouts are very common in the waters around South Florida.

2. National Weather Service (NWS) Warnings. NWS warnings should always be heeded and, in some cases, may serve as the only source of weather watches and warnings.

SEVERE THUNDERSTORM OR TORNADO WATCH	Conditions are conducive for tornadic activity and/or severe thunderstorms within and close to the watch area.
---	--

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**SEVERE THUNDERSTORM OR
TORNADO WARNING**

A severe thunderstorm or tornado has been confirmed by observation or indicated by weather radar. Persons should take cover immediately. Those further away should take cover if threatening conditions approach.

**TROPICAL STORM/HURRICANE
WATCH**

Tropical Storm/Hurricane poses a possible threat to a specified coastal area within 36 hours.

**TROPICAL STORM/HURRICANE
WARNING**

Tropical Storm/Hurricane force winds are expected in a specified coastal area within 24 hours.

3. Warnings. Warnings of destructive weather will be issued in the following forms:

a. **Tropical Depression/Tropical Storm/Hurricane Warnings.** Issued by NAVMARFCSTACT (NMFA) Norfolk to the collective Hurricane Warnings Atlantic (HURRIWARNLANT) and received by all military communications centers within CNRSE Area of Responsibility (AOR).

b. **Local Area Warnings.** Thunderstorm, sonic boom, tornado/waterspout, storm, gale and small craft warnings are issued by NAVLANTMETOC DET Key West.

(1) NASKW will inform local units and local units take precautions that will permit appropriate protection of personnel and material on short notice. Naval Atlantic Meteorology and Oceanographic Facility (NAVLANTMETOCFAC) Jacksonville assumes the warning responsibility NASKW, when a forecaster is not available.

(2) **Thunderstorm/Tornado Conditions:**

(a) **Thunderstorm/Tornado Condition II:** Lightning, thunder, hail and destructive winds accompanying the phenomena are expected in the general area within six hours or is present within 25 miles.

(b) **Thunderstorm/Tornado Condition I.** Lightning, thunder, hail and destructive winds of force indicated accompanying the phenomena are imminent, within one hour, or within 10 miles of Boca Chica. An advance warning time of 20 minutes is desired to allow sufficient time for notification and precautionary action by local units. However, this is not always practical and host commands will

7 Sep 10

inform local units as soon as possible with all units taking immediate precautions to protect personnel and material.

(3) Wind Warnings

(a) Storm Warning. Storm Force Winds is a term used for windstorms experiencing sustained winds of 48 knots or higher and are not associated with tropical cyclones. The optimum lead-time for a Storm Warning is 12-24 hours.

(b) Gale Warning. Gale Force Winds have sustained wind speeds of 34 to 47 knots and are not associated with tropical cyclones. The optimum lead-time for a Gale Warning is 12-24 hours.

(c) Small Craft Warnings: Small Craft Warnings are issued when sustained winds of 18-33 knots are expected within a 10 nautical mile radius of Boca Chica. The optimum lead-time for a Small Craft Warning is 1 hour. Warnings will be disseminated to designated activities via telephone or fax. Activities are responsible for their individual Standard Operating Procedures.

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Emergency Operations Center (EOC) Destructive Weather Guide

1. The NASKW EOC will serve as the central point of contact for all communications during a destructive weather event. The NASKW EOC will be tasked with communicating the setting and attainment of CORs with NASKW departments and tenant activities; relaying information to and from CNRSE ROC; and communicating with the ECC during evacuation events.

a. Location. The primary NASKW EOC is located inside the command building (A-324) Boca Chica Field. The EOC is designed to be mobile and EOC personnel may be forced to relocate for safety reasons depending on the size, strength and anticipated impact of a hurricane. Three alternate EOC sites include the Key West City police department, Monroe County Jail, and the Monroe County Government Building. These sites will also serve as EOC sub-centers during a destructive weather event and may be manned (as needed) by NASKW personnel. The location and contact information for the EOC sites is provided below:

(1) Primary EOC:

Naval Air Station Key West, Building A-324.

Telephone: (305) 293-2268; DSN 483

E-mail at naskw.ioc.frt@navy.mil

(2) Alternate EOC and sub-center:

Key West Police Dept, 1604 North Roosevelt e

Telephone: (305) 809-1100

Telephone to Radio Desk: (305) 809-1080

(3) Alternate EOC and sub-center:

Monroe County Government Bldg., Marathon

Telephone: (305) 289-2660

(4) Alternaternate EOC and sub-center:

Monroe County Jail, Stock Island

Telephone: (305)-293-7325

b. Staffing. The personnel operating the NASKW EOC and EOC sub-centers must be identified as Category A, Key and Essential personnel within enclosure (13). As Category A personnel these people will not evacuate and will stay in Key West at a local hurricane shelter designed to withstand severe hurricanes. At a minimum EOC manning will consist of following personnel:

Enclosure (14)

Commanding Officer, NASKW
NAVFAC SE Public Works Officer
NAVFAC SE Public Works Engineering Director
Security Officer
Fire Chief
NASKW Emergency Manager
Hurricane CDO
Ground Electronics Officer
2 County/City Liaison Officers
2 Active Duty Recorders
2 Hospital Corpsmen
2 Civilian Dispatchers

c. Operations. As the primary point of contact during a destructive weather event, the NASKW EOC must be informed, readily accessible, flexible, and mobile. The EOC must maintain contact with all departments, tenant commands and CNRSE ROC during hurricane preparations and sheltering events. The EOC must also communicate (when possible) with the ECC during evacuation events. Additionally, the EOC must communicate with those commands that are under the NASKW Area of Responsibility (AOR), but geographically distant from Key West.

(1) NASKW Departmental watch stations: Department watch stations may be utilized during a destructive weather event in order to provide immediate updates and necessary information to the EOC before, during, and after a weather event. These watch stations may be manned at the direction of the Commanding Officer. The contact information for the Department watch stations is provided below:

<u>Department:</u>	<u>Station:</u>	<u>Telephone:</u>
Fire Rescue	Dispatch	2776
Security	Dispatch	2114/2531
ACC	Duty Office	745-3957
Public Works	Electric Shop	2245
Public Works	Maintenance	2210/2136
Public Works	Trouble Desk	2519
Public Works	Transportation	2226
Security	Front Gate	2803
Naval Munitions Command	Weapons	2653/3648
NCTS	Communications	2999/2222
USCG Station	KW	292-8727
Fire Rescue	Trumbo Point Annex	4334
Fire Rescue	Truman Annex	5293
JIATF South	Command Post	5791/5719

NASKWINST 3440.1B

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(2) AOR Command Centers (Geographically remote). Each of the following units will be considered a separate command center. Coordination will be exercised by telephone while it is possible and with message backups whenever possible.

a. Navy and Marine Corps Reserve Center, Miami, FL, (305) 628-5150/5155 Fax (305) 628-5156.

b. Navy and Marine Corps Reserve Center, West Palm Beach, FL, (561) 688-7888.

c. Naval Recruiting District, Miami, FL, (305) 591-8696 Ext. 119, Fax (305) 591-8696.

(3) Communications. EOC communications will be facilitated by telephone and/or e-mail as long as possible. As an alternate, VHF command radios may be used. The ELMR command radios are located at the primary EOC location in the command building (A-324) Boca Chica Field.

a. Radio Frequencies and Call Signs. The Hurricane Net will be Zone C Channel 1 on the ELMR radios. ELMR radios may be used as a form a communication during a destructive weather event. Units providing direct hurricane support will use their "CHARLIE" call sign appropriate to their function(s). Non-hurricane business will not be authorized on this net and strict radio procedures must be adhered to. The EOC will function as Net Control. Standard Navy voice procedures from effective Joint Army Navy Air Force Publications/Allied Communication Publications (JANAP/ACP) shall be used on all transmissions, and a log of all transmissions and receipts of messages shall be maintained. Ground Electronics shall conduct the test as Net Control and report results by email to the NASKW Emergency Manager. The Hurricane Net voice call signs are common terminology by duty position.

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RAPID DAMAGE ASSESSMENT FORM



Inspection:

Inspector Name: _____ Date: _____

Affiliation: _____ Time: _____ ☐ AM ☐ PMAreas Inspected: ☐ Exterior Only ☐ Exterior and Interior

Building/Facility Description:

Activity Name: _____ Zone: _____

Building/Facility No: _____ Facility Type: _____

Address /Nearest Intersection: _____

Building POC: _____ No. of Stories Aboveground: _____ Basement: ☐ Yes ☐ NoStructure Type: ☐ Masonry ☐ Wood ☐ Steel ☐ Concrete ☐ Pre-Engineered Bldg. ☐ Other: _____Roof Type: ☐ Shingle ☐ Metal ☐ Flat/Built-up ☐ Other: _____Exterior Finish: ☐ Vinyl ☐ CMU ☐ Brick ☐ Concrete ☐ Metal ☐ EIFS ☐ Wood ☐ Other: _____

Evaluation:

General Observed Conditions:

Bldg: ☐ Collapsed ☐ Partially collapsed ☐ Building off of foundation ☐ Building significantly out of plumbRoof: ☐ Entire Roof Missing/Collapsed ☐ Roof Structure/Deck Damaged ☐ Roof Envelope CompromisedWater: ☐ Rising water damage (_____ inches above ground floor) ☐ Interior damage from wind-driven rain

Damage Assessment:	None	Affected		Minor	Major		Destroyed
	0%	5%	10%	25%	50%	75%	100%
• Structural Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Flood Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Roof Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Flashing & Trim Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Window/Glazing Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Wall Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Interior Finishes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Interior Contents/Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Overall General Assessment of Total Loss: _____ %

Posting:

Choose posting based on the evaluation and team judgment. Severe conditions endangering the overall building are grounds for an Unsafe Posting. Localized Severe and overall Moderate conditions may allow a Restricted Use posting.

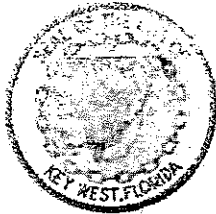
☐ INSPECTED (Green Placard) ☐ RESTRICTED USE (Yellow Placard) ☐ UNSAFE (Red Placard)

Record any use and entry restrictions: _____

Further Action Required / Field Notes: (Use back of Form for Sketches & Additional Notes)

Photos Taken: ☐ Yes ☐ No (Record Photo Numbers)

Enclosure (15)



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

March 13, 2012

VIA ELECTRONIC AND U.S. MAIL

Attn. Mark Lavin
SVP Navy Portfolio, Balfour Beatty Communities
381 Gainsborough Rd.
Virginia Beach, VA 23462

RE: Hurricane Evacuation History at Peary Court

Dear Mr. Lavin,

On February 28, 2012, the City of Key West Planning Department received an email from you requesting a summary of outstanding information with respect to how hurricane evacuation is managed at Peary Court (Attachment 1). This letter has been prepared in response to your email, as well as outstanding information from the February 23, 2012 Development Review Committee (DRC) meeting. As part of the February 23, 2012 DRC package, City staff received a letter prepared by the Department of Economic Opportunity's Areas of Critical State Concern Administrator on this topic (Attachment 2). Based on the information that has been provided, the City would like confirmation as to when residents of Peary Court have historically evacuated during hurricanes; specifically, whether they evacuate with the tourist population or the permanent population.

Respectfully,

Donald Leland Craig, AICP Planning Director

Attachments:

Attachment 1: February 28, 2012 Email
Attachment 2: DEO Letter

C: Ron Demes, Executive Director/Business Manager Naval Air Station Key West
David Paul Horan, Esq.
Shawn Smith, City Attorney
Larry Erskine, Chief Assistant City Attorney
Mark Finigan, Assistant City Manager

Attachment 1

Ashley Monnier

From: Mark Lavin
Sent: Tuesday, February 28, 2012 4:46 PM
To: 'dcraig@keywestcity.com'; 'amonnier@keywestcity.com'
Cc: Leslie Cohn; 'Demes, Ron A CIV CNRSE, N02'; Ted Lipham; 'Carson, Christopher CIV NAVFAC SE'; 'David P. Horan'; 'jscholl@keywestcity.com'
Subject: DRC follow up

Mr Craig and Ms Monnier, during the 23 Feb DRC meeting the issue of hurricane evacuation modeling information for Peary Court and as I understand your information need, you needed to know whether the military residents at Peary Court would evacuate with the transient evacuation or with the permanent member's evacuation. Please advise if this is the specific request.

I spoke to both Ron Demes and the CO following the DRC meeting and they related to me that there was going to be meetings with the state DEO this week concerning this very topic.
Ron Demes assured me that he would be able to reduce to writing the response that you need.

If you could reply to all with the exact response you need from Navy, Mr Demes will accommodate.

Thank you for your efforts in expediting this rezoning and land use change for Peary court.

If there are any questions please feel free to contact me at the number below.

Mark J Lavin
SVP Navy Portfolio, Balfour Beatty Communities
757-615-5536 mlavin@bbcgrp.com
Website bbcgrp.com

Attachment 2

Rick Scott
GOVERNOR



Doug Darling
EXECUTIVE DIRECTOR

January 20, 2012

Mr. Jeff Green
Gulf Coast Development Manager
Balfour Beatty Communities
3502 East Eighth Street, Bldg 452
Gulfport, Mississippi 39501

Dear Mr. Green:

Thank you for your recent inquiry regarding hurricane evacuation in the City of Key West. Specifically, you have asked the following questions:

1. *How have the 157 units at Peary Court been incorporated into the Hurricane Evacuation Model?* Hurricane modeling is based upon block group data from the census. Information regarding the number of dwelling units, the number of cars that will be driven during an evacuation and whether or not a particular unit is occupied during hurricane season is derived from census data. In 2009, the Department of Community Affairs contracted with Dr. Earl J. Baker, Florida State University, to conduct behavior surveys to update the model. The following response is an excerpt from the study conducted by Dr. Baker.

Evacuation of Military Installations

"At the suggestion of Monroe County Emergency Management, a representative of Key West Naval Air Station was interviewed with respect to the installation's evacuation procedures. Although there are other military installations in the Keys, the Naval Air Station is the largest, and procedures followed by others were thought to be similar. Jim Brooks, the Public Information Officer, was interviewed.

There are 1,676 uniformed military personnel in the Keys, including all installations, with 1,015 family members. There are up to 459 military training personnel *in addition* who would be flown out in an evacuation. Other personnel and their families would drive their own vehicles in and evacuation. Up to 100 would remain on base. Civilians assigned to the base number 848.

The Caldwell Building 107 E. Madison Street Tallahassee, Florida 32399-4120
850.245.7105 TTY: TDD 1-800-955-8771 Voice 1-800-955-8770 FloridaJobs.org

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY, TDD equipment via the Florida Relay Service at 711.



Mr. Jeff Green
January 20, 2012
Page 2 of 2

No one would evacuate prior to an evacuation order being issued by the County. (The exception presumably would be personnel removing equipment.) Salary and expenses would be paid during an mandatory evacuation, and NAS reserves hotel rooms in Orlando for personnel and dependents. Mr. Brooks estimated that 90% of personnel and families would leave within 6 hours of the evacuation order and 98% would be gone within 12 hours.

His general impression was that vehicle ownership would be comparable to the general population. It is possible that a larger percentage of available vehicles would be taken in an evacuation because certain personnel would be required to return to the base within 24 hours of passage of a hurricane."

2. *Does the hurricane evacuation model reflect the existing civilian component, as well as the proposed civilian component under new ownership?* The model is based upon how a person responds to census questions taken at ten year intervals regarding whether they live in a household or in group quarters. The software entries would have been determined by the 2000 Census. If residents within Peary Court answered census surveys indicating they lived within a "household," the unit would have been counted. For residents of barracks and other group quarters, no unit counts were developed because the starting assumption was that all group quarters residents (including military) would be evacuated ahead of any general evacuation order. Group quarters would include prisoners, residents of nursing homes, people in hospitals and other medical facilities, as well as the military personnel living in group facilities on the base.

In conclusion, it would be my assumption that the units have been counted as dwelling units in the evacuation models. If you require additional information, please contact (850)717-8494.

Sincerely,



Rebecca Jetton, Administrator
Areas of Critical State Concern

Exhibit 4

Minutes of the Development Review Committee of the City of Key West February 23, 2012

Approved – March 22, 2012

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Call Meeting To Order

Don Craig, City Planning Department Director, called the City of Key West Development Review Committee (DRC) Meeting of February 23, 2012 to order at **10:02 am** at Old City Hall, in the antechamber at 510 Greene Street, Key West.

Pledge of Allegiance to the Flag

Roll Call

DRC Member or Designated Staff	DRC Representative	Present	Absent
ADA Coordinator	Diane Nicklaus	X	
Building Official	John Woodson / Wayne Giordiano	X	
Community Housing	Omar Garcia		X
Department of Transportation	Myra Wittenberg / Carolyn Haia		X
Fire Chief	Alan Averette	X	
Florida Keys Aqueduct Authority	Marnie Walterson	Written comments	
General Services/Engineering Director	Doug Bradshaw / Elizabeth Ignoffo	X	
HARC Planner	Enid Torregrosa		X
Keys Energy	Matthew Alfonso / Dale Finigan		X
Landscaping Coordinator	Karen DeMaria / Paul Williams	X / X	
Planning Director	Don Craig	X	
Police Chief	Steve Torrence		X
Public Works	Greg Veliz		X
Sustainability Coordinator	Alison Higgins		X

Also present:

Agency / Department	Name	Present	Absent
FEMA Coordinator	Scott Fraser	X	
Planning Department	Ashley Monnier	X	
Planning Department	Brendon Cunningham	X	
Planning Department	Nicole Malo	X	
Planning Department/Recording Secretary	Jo Bennett	X	

Approval of Agenda

Actions/Motions:

Mr. Craig stated he had a request from the applicant to move item #8 to first action item due to applicant having another meeting schedule for noon in Marathon.

A motion was made by Mr. Steve Torrence, seconded by Mr. Alan Averette, that the minutes be **Approved** moving item #8 to first in the agenda. The motion **Passed** by a unanimous voice vote.

Approval of Minutes

1 January 26, 2012 Minutes

Actions/Motions:

A motion was made by Mr. Steve Torrence, seconded by Mr. Alan Averette, that the minutes be **Approved**. The motion **Passed** by a unanimous voice vote.

Discussion Items

- 8 Comprehensive Plan Amendment: Consideration of a Future Land Use Element and Future Land Use Map amendment for military property located at Peary Court (RE# 00006730-000000) to one of the following designations: Planned Redevelopment District (PRD), Historic Planned Redevelopment District (HPRD), Medium Density Residential (MDR), Historic Medium Density Residential (HMDR), or a hybrid of these designations.**

Staff Report:

Ashley Monier presented the project. Ms. Monier stated that this is the second DRC meeting where the Peary Court Future Land Use Designation change has been on the DRC agenda. Ms. Monier stated that is on this agenda again because we wanted to supplement the information that was provided at the January 26, 2012 DRC Meeting. Ms. Monier stated that since that time the applicant has provided substantial amount more of additional information to help inform potential impacts that may be brought into the City as a result of the ownership change of this property from military to civilian. Ms. Monier added that part of what to be discuss today is what those potential impacts may be based on the DRC's view of the additional information, as well as additional discussion of the process and where this project is headed. Ms. Monier stated reminded the members that at the last meeting Mr. Demes mentioned that this is a very unique type of project. Ms. Monier added that this is something the members may not see again or may not have experience with processing in the past because it doesn't follow the typical disposition or accessing requirements such as what might be under the 288 or the McKinney Act. Ms. Monier stated that as such we are doing our best under the circumstances to try to expedite this project through the State Coordinated Review process and then bring it through subsequent rezoning process. Ms. Monier stated that this is the Future Land Use consideration at the DRC. Ms. Monier added that once it goes through that State coordinated review process, it may come back to the DRC with the LDR change for the actual zoning. Ms. Monier reviewed the the information that had been received since the last DRC meeting, the Department of Economic Opportunity has provided information with respect to how the 157 units are incorporated into the hurricane evacuation model. Ms. Monier stated that Staff has some questions still that remain with respect to actually when the residents there are evacuating and that is something that we can still continue to work with the applicant to try to get a better handle on. Ms. Monier stated that information has been received with respect to the construction codes that were utilized and also a little bit more information with respect to how this property will meet concurrency requirements and the capacity that we have in both our sewer sanitary, sewer solid waste and stormwater requirement. Ms. Monier added that Elevation Certificates have been provided since the last DRC and have been reviewed. Ms. Monier stated that a survey has also been received that it is believed to be updated. Ms. Monier requested that an original be provided.

Applicant:

Paul Horan of the law firm of Horan, Wallace and Higgins and Mark Lavin with Southeast Housing, which is a division of Balfour Beatty. Mr. Horan stated that they had a couple of issues that need to be addressed by the DRC. First, is that, although we have been talking about 157 units, that one of the three-unit complexes burned down a few years ago. It was located by the Confederate cemetery on White Street and we believe that from now on the consideration should be for 160 units, not 157. We believe those should legitimately be included. The other thing to have addressed, is a letter of February 01, 2012 from Mr. Craig having to do with some FEMA issues and one of them was that the later stated that after examining the newly arrived elevation certificates, staff has determined that there are 26 dwellings where the AC units are below the base flood elevation level. Mr. Horan stated that typically, they are a few inches below BFE and, in some cases, as much as half a foot low. Mr. Horan stated that based on the fact that after a certain

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period of time when things are put in the ground in Key West, they will subside a little bit and this subsidence has, in fact, put us in the position where those units are, you know, that far below base flood elevation. I do not believe that there is any rational way to look at this as being noncompliant with the City of Key West and that the City of Key West loses some kind of an advantage it might have being a preferred community under the FEMA guidelines. Mr. Horan stated that this is one of those things where it really does not make any sense at all to turn around and say, okay, you have got to do that. Mr. Horan added that that there would be no problem whatsoever in putting something in there that says if any air conditioning work has to be done or if a building permit for the unit has to be executed, or whatever, then the unit has to be brought up. But to bring them up under the current way it's done would require a tremendous amount of work. You have got to pump down the Freon in the unit. You have got to bring it up and do your pipe connections and all this kind of stuff and that just makes no sense whatsoever. Mr. Horan stated that he really want to go ahead and get that particular thing looked at by the DRC. Mr. Horan stated that a restriction could be added that when a unit is replaced they will be brought up. Mr. Horan stated that another thing had to do with the little louvers on the non-habitable storage. Mr. Horan stated that was pointed out as something that we needed either to put them in or it had to be addressed as some type of FEMA variance. Mr. Horan stated that an eMail should have been received by the City stating that there is no need for a variance on something like that. When we did the walkthrough, there was no problem because we were told that when we do any work on the units, put the louvers in, and that will be done. Mr. Horan also asked about some language about certificates of occupancy being issued by the City which has caused concerns and needs to be addressed. Mr. Horan and Mr. Lavin remained to respond to questions.

DRC Member Comments:

General Services/Engineering Director –

Ms. Ignoffo mentioned that that it is her understanding that the sewer laterals will not be transferred to the City. Ms. Ignoffo added that individual sewer laterals need to be provided to each unit and that the billing for sewer, if individual water meters were installed, could be based on flow to each unit. Ms. Ignoffo also stated that it is the City's understanding that the road will not be conveyed to the City. Mr. Horan responded that it is his understanding that the property is currently on a on a master water meter and discussed master meter billing. Ms. Ignoffo responded that there's actually a sewer meter, in line at the pump station so the flow would be based on 80 percent of the water flow and then divided per unit.

ADA Coordinator – Ms. Nicklaus reminded the applicant that they will have to provide something in writing that states what their plan is to address the ADA issues with the sidewalks and ramping and when they intend to come into compliance. Mr. Horan responded that they are not going to be conveying the roads to the City therefore they are not going to be in that particular queue with regard to coming back into compliance. Ms. Nicklaus suggested that the applicant move forward with submitting a letter to the City's Chief Building Official stating their intent to come into compliance.

Police Chief – Mr. Torrence stated that he was just concerned that from White Street to Palm Avenue, if there is a cut-through there is a concerned about the increase in traffic. Mr. Torrence stated that Instead of people going around, they are just going to be shooting through that development. Mr. Torrence also asked the applicant to make sure that all the houses have proper addresses on them and there are street signs, so that public safety can find it.

Sustainability Coordinator – Ms. Higgins reminded the applicant that Keys Energy does the free audits to let you know how each house can be made more affordable, more green, for the people and ask them to make sure that those get done for all 157/60 units. Mr. Horan responded they

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planning for each unit to be individually metered and that they will work with Keys Energy. Ms. Higgins also inquired if recycling will be addressed. Mr. Horan responded that it would be.

FEMA Coordinator – Mr. Fraser stated that he had good news to report since we last met and that's that, having reviewed all the elevation certificates for all the structures on this property, every one of them is at or above the floodplain. And that's for the dwelling units and the commercial buildings, the main structures. Any other deficiency beyond that pales in comparison because that was the largest concern. The deficiencies that remain involve some of the air conditioning units, approximately 26 of them, that are below the flood level. Because, if you look at the structures out there, you'll see that the slabs are at one level and then the air conditioning units are a few inches below that. And, ideally, they would have been at or above the level of the slab and then we wouldn't be discussing them today. There is a way administratively that we can rectify the additional cost that would be incurred for getting new elevation certificates to replace the ones that have already been done for these 26 units. The problem with the elevation certificates that have been paid for and been completed is that if the machinery, in this case the air conditioning, is below flood, then how do we know it's above flood absent another elevation certificate, to show that the rectified height is now in accordance. But administratively in this scenario, we can accomplish that by utilizing a section on the elevation certificate for community information, because the professional surveyors have already determined that the slabs are above the flood level. So, by going out and visually looking at the newly elevated air conditioners, we can administratively say we know they are above flood because they are above the level already measured by the professional surveyors. And that should save considerable amounts of money for the applicant by some relatively minor activity by the staff. In addition to the low air conditioning units, the storage units are well below the slab, so, by default, well below the flood level. And it's unfortunate that these small-enclosed areas are wholly enclosed, because that makes them a storage unit below the floodplain, even though they are not much larger than two trash cans can fit inside, but in FEMA's eyes they are enclosed structures. And, therefore, since they are not habitable structures, flood vents are required. And the size and shape and position of them is determined by the area of the enclosure. And then lastly there are the guard shacks, which I've been told will be removed. They would be noncompliant with the flood area basically because they are not elevated and they don't have flood vents. Mr. Fraser stated that if they are to be removed, then it's going to be a nonissue. We get into the issue of whether these things can be grandfathered, these deficiencies. And really the City doesn't want to be in a position where it assumes these deficiencies. FEMA is surely a bureaucratic monstrosity but it's one from which the residents of the City benefit and we have, as a community, received more from the National Flood Insurance Program than we have paid into since its inception here in the '70s. Mr. Fraser continued stated that while we struggle with regulations and with compliance, the alternative would not be pretty for the City because insurance on the commercial market would be ten to twenty times more expensive. In the eyes of FEMA, absorbing this property is much akin to an annexation. And for us to accept any property into the City with these deficiencies, we might well have approved the deficiencies at construction as to accept them now, because the burden of those deficiencies is going to fall upon the City. And how will that injure the City? Well, the stick that FEMA holds over the City and its residents is being part of the National Flood Insurance Program. And, if we don't adhere community wide to the requirements of that program, they will suspend us from that program. And, not only do insurance rates sky rocket, but there are many, many consequences that would wreck economic havoc upon the community because of that. But, beyond the basic compliance with the National Flood Program, we are also as a City pursuing what's called a CRS, or Community Rating System discount, which could garner every policyholder upwards of a discount of ten percent. But, in order to achieve that, we need to, A, be in compliance with the program at its very basic level, and then we need to go through a lot of process and procedures to go beyond the scope of the basic level of compliance. Mr. Fraser stated

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that this September we're expecting FEMA to come in and do a community assessment visit, where they rate our compliance. And the very first thing FEMA does in one of these community assessment visits is ask for any floodplain variances that have been issued, because that's their primary concern. And the reason for that is that they want to make sure a community didn't adopt its regulations only in theory to appease FEMA and then just go issue blanketed variances or exceptions to make compliance moot. The City, to my knowledge, has never issued a floodplain variance, so this very first one would not be a favorable one to garner their attention. There are no grandfathering provisions within the National Flood Insurance provision for anything built after October 19, 1974. And the exception to the requirements would have to come through the variance process.

Mr. Horan responded to Mr. Fraser's comments, stating that FEMA is very similar to ADA that the correlation between the two is just incredible. And that is, I don't think there is any way to get there from here. The City is actually looking at and has, for some period of time, annexing Key Haven, which is where I live. You have got the entire A and B section of Key Haven that's below floodplain. Mr. Horan asked "Are you meaning to tell me that when you annex Key Haven, you're going to have to consider floodplain variances for the entire A and B section of Key Haven, and that makes you out of compliance and it costs the people of Key West ten percent on that or sky rocketing twenty times over their FEMA flood insurance?" Mr. Horan stated that is totally patently ridiculous. Mr. Horan stated that he has worked with FEMA, with the County, and they have now blinked big time with regard to some other issues having to do with endangered species and some other things that we have been working on. FEMA is not that -- are the most bureaucratic people I have ever seen, except for possibly the Navy, but think about this. The government is going to discriminate against the City because the City took government housing that was okay and then they are going to say, oh, no, that's noncompliant. We're not going to apply for a floodplain variance. There is no need for us to do so. Why would you, the City of Key West, ever consider going ahead and entertaining floodplain variances on inches on air conditioners when all you have got to do is say, When you replace that, bring it up to the thing that didn't subside, the main floor pan, for all those units. We'll do that. That's not a problem. But, for God sakes, don't put yourself in the position where you are considering issuing a floodplain variance, which is going to yell to FEMA come reevaluate the entire City of Key West. That doesn't make any sense at all. As far as the guard shacks are concerned, they are not habitable structures. If they are fully enclosed, we'll take a door off. Then they are not enclosed. But to turn around and say, Well, you have got to bulldoze those on the day you convey the property to a private owner, that doesn't make any sense. And as far as the floodplain, 26 units, it isn't 26. It's actually something like 78 because there's three air conditioners per unit, I mean, per, you know, tri-plex. So, we're talking about a bunch. We're talking about a lot of money and we're talking about a lot of Freon that is going to escape and all this. It doesn't make sense. For that reason, that's what the DRC is here to do, go ahead and look at this and go, You know, that just doesn't make good sense and why should we go ahead and embark on a variance procedure. You haven't done it in the past. Please don't start now.

HARC Planner – Mr. Craig stated that all of the existing structures on-site are non-historic in nature and, therefore, would not have to meet the requirements of HARC. Mr. Craig stated that there are archeological resources on-site, which have been evidenced by prior analysis by the federal government, and we are in receipt of the copies of that material, which we are currently verifying. Mr. Craig added that the basic part of that determination was that the entire site could be built upon with the exception of the Peary Court Cemetery and a certain buffer area adjacent to that. Mr. Craig stated that is within the communication from SHPO and the consultant hired by the federal government. Mr. Craig stated that there are some underground resources that are identified by that analysis and that analysis will be a key piece of information in our library and

should, in the future, additional structures or remediation or additions to structures would occur, we would refer to that mapped resource and that inventory. Mr. Craig stated that so, in sum, that is not a concern of HARC. Mr. Craig added that one of the things that you should realize, though, is that one of the potential zoning designations for this property is HMDR, Historic Medium Density Residential and that is being considered because of the history of the City applying a similar designation to a part of the Truman Annex property, which the City received in anticipation of residential development occurring on a part of that and the desire of the City to make sure that development within that HMDR district, even though it would be new, would be consistent with the surrounding existing historic neighborhood. Mr. Craig stated that the same circumstance occurs here so, that in future, there may be a cursory type of review by HARC for consistency with the adjacent neighborhood, but it would not be the same level of review by HARC. Mr. Craig stated that may be reflected in the Future Land Use Map designation as well as the zoning.

Planning Director – Mr. Craig stated that with regard to the FEMA issues, and I'll get into the planning issues in a minute, regardless of the common-sense approach that you've espoused, which I can agree with, we are faced with the fact that the federal government has particular rules and regulations which we cannot accept. There may be a way, however, of understanding that and making headway with FEMA. We are in communication with FEMA on a regular basis dealing with issues such as this and this may be one of those very special circumstances which FEMA may recognize. I have been giving it some thought and one of the things that you and one of the potential purchasers identified was a special development agreement that you may or may not be proposing for the project. One of the things that could be entered into in a development agreement, if that be between the City, the State, under a 380-agreement for certain purposes that your special counsel understands, and the City would be a paragraph and an understanding that at a time certain, a number of years, or with the improvement of a particular property, those structures would be brought into compliance. And, for the period of pendency of that improvement, there may be a way of exempting the property owner from reimbursement due to damage caused by those flood structures or structures not meeting the requirement. So, what I'm giving you is a statement on the part of the Planning Department that we will investigate a way of solving the issue. It may require a variance if it's justifiable, simply because of the process required. But we understand the circumstances which you find yourself. And, as in my last eMail to you last evening, it was that if a variance is required and sufficient justification can be provided by the evidence, then it would be something that the City could then defend with FEMA. So, I'm not going to give up on coming to a reasonable common-sense solution, and I have given several avenues. We'll further go into those as the Planning staff gets into the analysis for the FLUM. With regard to the one standing planning issue that I have identified that was briefly discussed by Ashley, it involves hurricane evacuation and a very finite but important point. Though DCA wrote a letter to us saying that Peary Court is considered, are considered households, and that they would be required to respond to a mandatory evacuation, the issue is which evacuation. Is it the evacuation that's required of transient units or permanent units? It's a very fine point but it's important and the reason is that the comprehensive plan for the County, with which the City must be consistent according to its own comprehensive plan, lists military housing to be evacuated at the time of transient evacuation versus permanent. So, if evidence can be presented that, regardless of the County policy, past military policy has been that they evacuate at the time of permanent dwelling units, then the possibility of an impact on the City's hurricane evacuation modeling will be less, perhaps zero. So, that's the issue that we need to have responded to in this process as we move forward to the Planning Board and to the City Commission. Those are my only comments with regard to Planning.

Mr. Horan responded to Mr. Craig's comments. We have looked into that issue of whether we evacuate as transient or as permanent and, fortunately, the City has a resource that most cities

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wouldn't have, and that is the City Manager just happens to be a former commanding officer at Boca Chica, and he will be happy to testify under oath that it was evacuated on the general evacuation, not on transient. It was a general evacuation and has always been that. Ron Demes, who has been here forever, would do the same thing. So, I can tell you that there is no impact with regard to hurricane evacuation. And I'm sure that you realize that that hurricane evacuation is inextricably intertwined with the ROGO issue and all this, and we really do not have a ROGO or a BPASS issue with regard to this either. So, based on that, I think that that is going to resolve itself. The other thing is the special development agreement, and we have spoken with the group that is right now looking at the issue much closer than anybody else is, and they are definitely working towards that. I think they met with City staff on some of those issues. And we can definitely address those particular issues under the special development agreement. I would hope that the idea of applying for floodplain variance, which would really put us on the map as far as FEMA is concerned, would be the last feasible alternative we should pursue, because it's been my experience that that would be a real dangerous position for the City to take with regard to variances.

Mr. Craig concluded stating that has to be put in writing because the Planning Board members and the City Commission would be interested in that particular issue and, as we proceed ahead with the hurricane evacuation workshops in the next several months, we need to put that issue to bed in writing. Mr. Craig concluded that the next step is the Planning Board meeting.

Keys Energy – Mr. Craig reminded the Commission members concerning the letter from Keys Energy Services which was included as part of the meeting package.

There were no additional Committee member comments for the record.

Public Comments:

- > Steve Dawkins – 1212 Angela Street
Asked that the fence remain. Mr. Horan responded that the plan is for it to remain.
- > Cynthia Domenech-Coogle – 1006 16th Terrace
Reminded everyone that health of the trees on the property needs to be monitored.

2 Variances – 812 & 814 Baptist Lane (RE# 00014520-000000) - A variance application for side and rear-yard setback requirements in the HMDR zoning district per Section 122-600 (6) b. & c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Staff Report:

Brendon Cunningham presented the variance application. Mr. Cunningham stated that this is a re-visit of this variance application. Mr. Cunningham added that the applicant had also entertained applying for a vacation of City property but has since re-thought that approach and made changes in their plans as appropriate by reducing the scope of their plan.

Applicant:

Ty Symroski, Chris Liddle, and Cynthia Domenech-Coogle presented the application for a rear setback variance. Mr. Symroski stated that they have revised their plan, which allows them to withdraw the Vacation of Property request, and minimized their need for a setback variance. Mr. Symroski described the work that is planned to take place on the property, which will include improvements to for the property parking. Mr. Symroski concluded that he feels this project will improve the property greatly. Mr. Symroski, Mr. Liddle, and Ms. Domenech-Coogle remained to respond to any questions from Committee members.

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	<p>Public Comments: There were no public comments.</p>
3	<p>Comprehensive Plan Amendment: Consideration of a Future Land Use Element and Future Land Use Map amendment for military property located at Peary Court (RE# 00006730-000000) to one of the following designations: Planned Redevelopment District (PRD), Historic Planned Redevelopment District (HPRD), Medium Density Residential (MDR), Historic Medium Density Residential (HMDR), or a hybrid of these designations.</p> <p>Staff Report: Ashley Monnier introduced the project on behalf of the City Planning Department. Ms. Monnier stated that this action is a result of the property transitioning ownership from military to private. With that in mind, Ms. Monnier stated that the City has taken action with the zoning in progress, which resulted in the numerous designations read into the record by Mr. Craig. Ms. Monnier stated that once the sale is completed the property would be placed in an interim zoning district until such time the final appropriate zoning determination and zoning process can be completed. Ms. Monnier stated the Planning Department also is interested in learning more about the following:</p> <ul style="list-style-type: none"> ➤ Hurricane Evacuation Plan Modeling ➤ When hurricane evacuations occur ➤ How the hurricane evacuations occur ➤ Level of service standards and potential concurrency impact ➤ Construction codes at the time of construction ➤ Potential impacts to emergency services <p>Ms. Monnier concluded that the City Planning Department expects to continue to work with the Navy and Balfour Beatty to insure a smooth transition of the project.</p> <p>Applicant: Ron Demes, Naval Air Station owner representative. Mr. Demes explained what is taking place concerning this property. Mr. Demes stated that the property is currently leased to Balfour Beatty. Mr. Demes stated that he had anticipated a letter addressing the City's request would have already been delivered to the City. Mr. Demes remained to respond to any questions from the DRC members.</p> <p>DRC Member Comments: FEMA Coordinator – Mr. Fraser stated he participated in a site visit in October 2011 and listed the following items which need to be addressed:</p> <ul style="list-style-type: none"> ➤ Elevation Certificates from a Florida licensed land surveyor are required for every dwelling building (slabs, not individual units/addresses) and commercial structure, including the guard shacks. Mr. Fraser recommended that on the Elevation Certificates, the addresses should be ranged to include all street addresses shared by the single building. Thereby, making a single certificate applicable to every dwelling unit sharing the same slab. ➤ Determine if the numerous air-conditioning compressors are in fact below BFE, and should be elevated. ➤ Installation of at least two appropriately sized flood vents in each of the accessory storage enclosures attached to the carports. If engineered flood vents are used, a Florida licensed engineer must certify them. ➤ Installation of flood vents in the two guard shacks or removal of the structures. ➤ Ascertain, specifically, the elevations of the large commercial building currently occupied by a credit union, to determine compliance status.

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Landscape – Ms. DeMaria stated she also participated in the site visit in October 2011 and has placed a memo in file concerning the trees, which may need to be addressed in the development.

Keys Energy – Mr. Alfonso stated that they had sent a letter dated January 17, 2012, detailing their comments. Mr. Alfonso also inquired about a pole and line that runs through the property. Mr. Demes reminded Mr. Alfonso that the easement is about to expire. Mr. Demes stated he expect the easement to be renewed.

Planning Department – Mr. Craig acknowledged the City Planning Department has received a copy of a letter dated January 17, 2012 from Keys Energy Alex Tejeda to Jeff Green of Balfour Beatty concerning the conversion from the master meter to individual meters. Mr. Craig stated that this would go to the Planning Board as soon as all the requested information has been received by the Planning Department.

HARC – Ms. Torregrosa ask for site plans showing the old historic wells.

Engineering – Ms. Ignoffo state that her comments are not directed toward the zoning as much as concerning the roads, water, waste management, storm water, and sewer infrastructure needing to be addressed.

ADA – Ms. Nicklaus stated that she is sure there is a need for ADA improvements on the property. Ms. Nicklaus also stated that there was a letter on file outline

Fire – Mr. Averette stated he had no additional concerns at this time.

Mr. Craig read the comments from Marnie Walterson of Florida Keys Aqueduct Authority submitted by into the record – *"If rezoning is approved by the City of Key West, the FKA will require all residences to be individually metered with all meter and impact fees due at that time. Consideration of a Future Land Use Element and Future Land Use Map amendment for military property located at **Peary Court (RE# 00006730-000000)** to one of the following designations: Planned Redevelopment District (PRD), Historic Planned Redevelopment District (HPRD), Medium Density Residential (MDR), Historic Medium Density Residential (HMDR), or a hybrid of these designations."*

There were no additional Committee member comments for the record.

Public Comments:

There were no public comments.

Adjournment

Actions/Motions:

A motion was made by Mr. Steve Torrence seconded by Ms. Elizabeth Ignoffo, that the meeting be **Adjourned**. The motion **Passed** by a unanimous vote.

Meeting adjourned at **10:50 am**.

Respectively Submitted by,

Jo Bennett

Administrative Coordinator

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Planning Department

Exhibit 5

Balfour Beatty Communities

15 February, 2012

Mr. Don Craig – AICP, Planning Director
The City of Key West
PO Box 1409
Key West, FL 33041-1409

Re: Response to Follow Up to January 26, 2012 – Development Review Committee Meeting
Letter Dated February 3, 2012

Dear Mr. Craig:

Balfour Beatty Communities provides the following responses to your letter dated February 3, 2012. This responds to your letter by first stating the City's concerns in *italics* then providing our response in **bold text** as follows:

- 1) *"How have the 157 units at Peary Court been incorporated into the Hurricane Evacuation Model?"*
The attached letter issued by the Florida Department of Economic Development (DEO) directly addresses the concerns of the City on how the Hurricane Evacuation Model has been calculated and has responded that the units are included in the evacuation plan. (Attachment 1)
- 2) *"Identify whether construction codes were utilized in the construction of the dwelling units, and whether there was a cross reference to a version of the Florida Building Code."* The letter from our third party code compliance consultant, Bureau Veritas, that opines that "the units were constructed under the 1988 SBCCI Codes." They further state that the "units are well constructed and the truss wall strapping exceeds what was the minimum requirement of the 1988 code cycle." An additional clarifying email from Bureau Veritas North America states that the only code in existence at the time of construction that the State of Florida had adopted was the Southern Standard Building Code Congress International (SBCCI).
(Attachment 2).
- 3) *"Please address how the change of ownership will affect the following:"*
 - a) *Transportation concurrency of surrounding roads in the city:* **No impact to current status. Prior to constructing these units the Navy conducted all NEPA required studies to include transportation, schools, environmental, traffic, etc, to obtain the necessary approvals for the design and construction project.**
 - b) *Water:* **No impact. FCAA has indicated that individual meters would need to be installed on the current units in lieu of the master meter system currently utilized. Once the new owner contracts with FCAA and pays all fees associated with the installation, FCAA assures a smooth and uninterrupted service transition. (Attachment 3)**
 - c) *Wastewater Services:* **No impact – new owner will contract directly with the City of Key West for services. (Attachment 3)**
 - d) *Solid waste disposal:* **No impact – new owner will contract directly with the City of Key West or separately with Waste Management for services. (Attachment 3)**

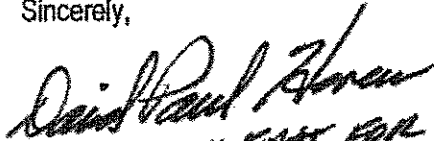
Balfour Beatty Communities

- e) *Drainage/storm water management plan:* No impact – new owner will contract directly with the City of Key West for services. (Attachment 3)
 - f) *Recreation:* No impact to current status. Also included on the NEPA studies discussed previously.
 - g) *Education:* No impact to current status. Also included on the NEPA studies discussed previously. (Attachment 3)
 - h) *Emergency Services:* The City of Key West will provide directly as with all other private property located in the City of Key West. Navy will continue to provide backup Services as shown in the
- 4) *"FEMA elevation certificates were provided...Comments based on that review are attached...(Attachment 3)...(Attachment 4):"*
- a) *Two elevation certificates (E/C) have the locations incorrectly identified:* These E/C's have been corrected and delivered to Mr. Scott Fraser, FEMA Coordinator with the City of Key West.
 - b) *An E/C has not been provided for one structure (accessory modular bank building):* We have contracted with the surveyor to provide an E/C for this location. We anticipate completion by February 17, 2012. This E/C will be provided to the City when obtained.
 - c) *One E/C was not signed or sealed:* This E/C has been signed and sealed and delivered to Mr. Scott Fraser, FEMA Coordinator with the City of Key West.
 - d) *All E/C's need to have embossed seals shaded for digital imaging:* Mr. Scott Fraser has represented that he would take care of this requirement.
 - e) *All structures for which E/C's were submitted appear to have their first floors above flood as required, however, 26 units have A/C compressors below flood:* Balfour Beatty is taking measures to insure compliance. City requirements will be satisfied prior to closing.
 - f) *By default, most...enclosed storage...below flood and will require flood vents:* Balfour Beatty Communities is taking measures to insure compliance. City requirements will be satisfied prior to closing.
 - g) *"existence of two guard shacks on the property....currently non-compliant with FEMA..."* We intend to convey these "as is" and the purchaser will have to resolve the issue to the satisfaction of the City (i.e. demolish, variance, etc).
- 5) *"Please provide a current survey of the property":* Updated survey is included. (Attachment 4)
- 6) *"...please include the archaeologically sensitive areas in the updated survey":* We have included the locations on the updated survey. (Attachment 4)
- 7) *"...current stratification of tenant types..."* Attachment 5 contains the stratification data. (Attachment 5)
- 8) *"Keys Energy Services provided comments...requiring that all locations be metered independently..."* We have an email from Keys Energy clarifying their letter dated January 17, 2012. Per their email dated February 8, 2012, Keys Energy will allow a "grace period" in order to facilitate a smooth transition from the current master meter system to individual meters. (Attachment 6). Purchaser will work with Keys Energy to comply with transition requirements.
- 9) *"Urban Forestry Comments":* Balfour Beatty Communities is in receipt of your Attachment 8 and is currently compliant. The new owner will be responsible to maintain compliance with this requirement.

Balfour Beatty Communities

I trust this will satisfy the City of Key West's request concerning the follow up letter to the January 26, 2012 Development Review Committee meeting. Please let me know if you have questions or require additional information.

Sincerely,



David Paul Zinner
ATTACHED IN FOLDER FOR

Mark J Lavin
Senior Vice President – Navy Portfolio
Balfour Beatty Communities
757-615-5536

Attachments
6 each AS

Balfour Beatty
Communities

Attachment 1

Rick Scott
GOVERNOR



Doug Darling
EXECUTIVE DIRECTOR

January 20, 2012

Mr. Jeff Green
Gulf Coast Development Manager
Balfour Beatty Communities
3502 East Eighth Street, Bldg 452
Gulfport, Mississippi 39501

Dear Mr. Green:

Thank you for your recent inquiry regarding hurricane evacuation in the City of Key West. Specifically, you have asked the following questions:

1. *How have the 157 units at Peary Court been incorporated into the Hurricane Evacuation Model?* Hurricane modeling is based upon block group data from the census. Information regarding the number of dwelling units, the number of cars that will be driven during an evacuation and whether or not a particular unit is occupied during hurricane season is derived from census data. In 2009, the Department of Community Affairs contracted with Dr. Earl J. Baker, Florida State University, to conduct behavior surveys to update the model. The following response is an excerpt from the study conducted by Dr. Baker.

Evacuation of Military Installations

"At the suggestion of Monroe County Emergency Management, a representative of Key West Naval Air Station was interviewed with respect to the installation's evacuation procedures. Although there are other military installations in the Keys, the Naval Air Station is the largest, and procedures followed by others were thought to be similar. Jim Brooks, the Public Information Officer, was interviewed.

There are 1,676 uniformed military personnel in the Keys, including all installations, with 1,015 family members. There are up to 459 military training personnel *in addition* who would be flown out in an evacuation. Other personnel and their families would drive their own vehicles in and evacuation. Up to 100 would remain on base. Civilians assigned to the base number 848.

The Caldwell Building 107 E. Madison Street Tallahassee, Florida 32399-4120
850.245.7105 TTY: TDD 1-800-955-8771 Voice 1-800-955-8770 FloridaJobs.org



Mr. Jeff Green
January 20, 2012
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No one would evacuate prior to an evacuation order being issued by the County. (The exception presumably would be personnel removing equipment.) Salary and expenses would be paid during an mandatory evacuation, and NAS reserves hotel rooms in Orlando for personnel and dependents. Mr. Brooks estimated that 90% of personnel and families would leave within 6 hours of the evacuation order and 98% would be gone within 12 hours.

His general impression was that vehicle ownership would be comparable to the general population. It is possible that a larger percentage of available vehicles would be taken in an evacuation because certain personnel would be required to return to the base within 24 hours of passage of a hurricane."

2. *Does the hurricane evacuation model reflect the existing civilian component, as well as the proposed civilian component under new ownership?* The model is based upon how a person responds to census questions taken at ten year intervals regarding whether they live in a household or in group quarters. The software entries would have been determined by the 2000 Census. If residents within Peary Court answered census surveys indicating they lived within a "household," the unit would have been counted. For residents of barracks and other group quarters, no unit counts were developed because the starting assumption was that all group quarters residents (including military) would be evacuated ahead of any general evacuation order. Group quarters would include prisoners, residents of nursing homes, people in hospitals and other medical facilities, as well as the military personnel living in group facilities on the base.

In conclusion, it would be my assumption that the units have been counted as dwelling units in the evacuation models. If you require additional information, please contact (850)717-8494.

Sincerely,



Rebecca Jetton, Administrator
Areas of Critical State Concern

Balfour Beatty
Communities

Attachment 2



**BUREAU
VERITAS**

October 10, 2011

Jeff Green, Gulf Coast Development Manager
Balfour Beatty Communities
NCBC Gulfport
3502 East Eighth Street, Bldg 452
Gulfport, Mississippi 39501

Dear Mr. Green,

In regards to the investigation Bureau Veritas conducted of the 157 Family Housing Units in Key West at Peary Court, the Building Code that was in effect for the State of Florida at that time was the 1988 Southern Standard Building Code Congress International. Based upon our non-destructive inspection it is Bureau Veritas NA opinion that the units were constructed under the 1988 SBCCI Codes. These units are well constructed and the truss to wall strapping exceeds what was the minimum requirement of the 1988 code cycle.

The buildings have metal straps for the truss to wall connection and fire wall separation for the unit separation. Please note the since time of construction, the utility company has installed cable through-out these walls without providing proper protection. However, the walls are still in good condition.

The exterior of the units are vinyl siding and appear in good condition. The interior of each unit also are in good condition with the normal wear and tear that would be expected with a project that is seventeen years old. Overall conditions of these units are "good" and have been maintained.

Thank you for the opportunity of working on this project for you. Should you have any questions, please feel free to contact me directly at 239-229-2852.

Respectfully,

Wayne D. Smith, CBO, MCP, CEAP, LEED AP (BD+C), HUD REAC CI
Operations Manager
Bureau Veritas, BVNA

Bureau Veritas North America

13851 Plantation Road ♦ Fort Myers, Florida 33912 ♦ (239) 278-0939 ♦ Fax: (239) 278-0656
Offices Nationwide

Lynnette Bonin

From: Jeff Green
Sent: Tuesday, January 03, 2012 11:10 AM
To: Ted Lipham
Cc: Mark Lavin, Lynnette Bonin
Subject: FW: FW: Peary Court Housing Code Assessment
Attachments: Peary Court Revised.pdf.zip

Ted, attached is BV's response IRT building codes for Peary Court. Let me know if you have any questions or need me to dig more into the codes.

Thanks
V/R
Jeff

Jeff Green

Gulf Coast Development Manager | Balfour Beatty Communities
NCBC Gulfport | 3502 East Eighth Street, Bldg 452 | Gulfport, Ms. | 39501
C: 610-570-0142 | jgreen@bbcgrp.com
F: 228-863-0428

www.bbcgrp.com

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From: jack.mcstravic@us.bureauveritas.com [mailto:jack.mcstravic@us.bureauveritas.com]
Sent: Tuesday, January 03, 2012 6:49 AM
To: Jeff Green
Subject: Re: FW: Peary Court Housing Code Assessment

Mr. Green.

When Peary Court Housing was constructed the Florida Building Code did not exist, The code the State of Florida had adopted to use was the Southern Standard Building Code Congress.

I hope this helps and answers your questions. If you need to speak with someone today I will be in the office today.

Thank you.



Jack D. McStravic, CBO
Bureau Veritas North America, Inc.
13851 Plantation Road, Fort Myers FL 33912
p: 239-278-0939 c: 630-429-1144, f: 239-278-0056, d: 239-210-3519
jack.mcstravic@us.bureauveritas.com
www.us.bureauveritas.com

Jeff Green --12/29/2011 11:30:51 AM--Jeff Green <JGreen@bbcgrp.com>

Jeff Green <JGreen@bbcgrp.com>

12/29/2011 11:30 AM

To: Wayne Smith/USA/VERITAS@VERITAS, Jack
McStravic/USA/VERITAS@VERITAS

cc: Ted Lipham <TLipham@bbcgrp.com>, Lynette Bonin
<LBonin@bbcgrp.com>

Subject: FW: Peary Court Housing Code Assessment

Re:

Wayne/Jack,

Hope you and your families are having a safe holiday season.

Could you please confirm if there were any other Florida Building Codes (or cross references) in effect that would or could have applied to the Key West Peary Court housing units addressed in your letter dated 10 Oct 2011. Email confirmation will be sufficient. I apologize for the short fused request, but I need a response as soon as possible, preferably by tomorrow.

Thanks and have a safe and Happy New Year celebration

V/R
Jeff

Jeff Green
Gulf Coast Development Manager | Balfour Beatty Communities
NCBC Gulfport | 3502 East Eighth Street, Bldg 452 | Gulfport, Ms. | 39501
C: 610-570-0142 | jgreen@bbcgrp.com
F: 228-863-0428
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From: jack.mcstravic@us.bureauveritas.com [<mailto:jack.mcstravic@us.bureauveritas.com>]
Sent: Tuesday, October 11, 2011 1:38 PM
To: Jeff Green
Subject: Peary Court Housing Code Assessment

Jeff,

Below is attached the revised letter. Look over and see if there are other changes I need to make.

(See attached file: *Peary Court Revised.pdf.zip*)



Jack D. McStravic, CEO
Bureau Veritas North America, Inc.
13851 Plantation Road, Fort Myers, FL 33912
p: 230-276-0939, c: 830-428-1144, f: 239-276-0666, d: 239-210-3610
jack.mcstravic@us.bureauveritas.com
www.us.bureauveritas.com

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Balfour Beatty
Communities

Attachment 3

Lynnette Bonin

From: Josh Nestor
Sent: Wednesday, February 08, 2012 1:53 PM
To: Ted Lipham
Cc: Lynnette Bonin
Subject: FW: Peary Court
Attachments: Water Rate Summary effective 5.1.2011 pdf

Ted,

See below from Roy Coley with FKA. All units will need to be individually metered. Unless the Navy relinquishes their credits fees will be applied. All of the fees are attached. If the new owner would like to contract the meters on his own the work will need to be completed prior to turnover. If the new owner wants FKA to perform the work they will require the money at turnover and will cause no interruption.

From: Roy Coley [<mailto:rcoley@fkaa.com>]
Sent: Wednesday, February 08, 2012 2:28 PM
To: Josh Nestor
Cc: Jolynn Reynolds; Kerry Shelby; Kirk Zuelch
Subject: Peary Court

Mr. Nestor,

Thank you for your questions. The master meter providing the Navy's usage will be unavailable to any subsequent property owner or water customer of Peary Court. Individual meters will be necessary to provide water service to the individual homes and businesses. Unless the Navy relinquishes its reserved capacity serving the Peary Court community typical system development fees will also become necessary. All of these fees can be located on our web site fkaa.com. If you wish to hire a contractor to install these meters to our specifications and with a permit issued by the FKA then all work should be complete prior to the Navy discontinuing the responsibility of the bill. If you would like to pay to the FKA the necessary fees for our crews to install the meters, once we receive all sums required from you and you are only waiting on us then the billing can transfer immediately.

If I can be of additional assistance please do not hesitate to contact me.

Best Regards,

Roy Coley

Florida Keys Aqueduct Authority
Director of Operations
(305) 293-6358 office
(305) 797-8207 cell
Rcoley@fkaa.com

FLORIDA KEYS AQUEDUCT AUTHORITY

5/01/11 SUMMARY OF WATER RATES, FEES & CHARGES

Page 1 - Water

ITEM	SECTION/EXPLANATION	AMOUNT
RESIDENTIAL System Development Charge 48-208.001(n)	Residential (Single Family-Stand alone dwelling) a) When the premises is served by a single meter the SDC will be charged based on the size of meter to serve the premise b) When the premises is served by a Master Meter with individual units behind the Master Meter, SDC will be charged per unit based on the meter size which would be required to serve each residential unit c) Irrigation-Residential (Single Family). For residential Single Family property, which has not been developed and is not otherwise metered, the SDC for irrigation service will be based on the size of the meter.	<u>(Applicable to A, B & C)</u> $\frac{3}{8}$ " Meter...\$3,750.00 1" Meter... \$9,375.00
	Residential (Multiple Unit) When the premises is a Residential (Multiple Unit), the SDC will be charged per unit basis: a) Residential - Multiple Unit - 3 units or Less b) Residential - Multiple Unit - Four Units or More c) Common Area facilities (including Irrigation) for Residential Multi-Unit shall be based on Fixture Values as established for Commercial Accounts.	<u>(Applicable to A, B & C)</u> a) \$3,188.00 per unit b) \$2,813.00 per unit c) \$75.00/per Fixture value
COMMERCIAL System Development Charge 48-208.001(n)(3)	Commercial: a) Fixture Values on the total number of Fixture Values at a Premises or Water Service location (including irrigation), at a charge of <u>\$75.00</u> for each Fixture Value b) Where Fixture Values cannot be determined, the meter-based SDC shall be charged as shown	\$75.00 Per Fixture Value Meter-Based SDC: $\frac{3}{8}$ ".....\$3,750.00 1".....\$9,375.00 1½".....\$18,750.00 2".....\$30,000.00 3".....\$56,250.00 4".....\$93,750.00 6".....\$187,500.00 8".....\$300,000.00

Fire Hydrant Flow Test 48-208.005(8)		\$70.00
Fire Hydrant/Fire Line Application Fee 48-208.005(9)		\$360.00 – first hydrant \$50.00 each additional hydrant
Fixture Review Fee 48-208.005(4)	Review of Development Plans for large single family and developments	\$ 50.00
Return Check/ Bank Draft 48-208.005(1)(b)	Fee charged when the bank does not honor a customer's check used to make payment on their account.	ck Up to \$50: \$25 ck \$50 to \$100: \$30 ck Over \$100 Greater of: \$40 or 5% of Check
Meter Drop-In (New Meter Installation Only) 48-208.001(4)	$\frac{3}{8}$ " x $\frac{3}{4}$ " Meter $\frac{5}{8}$ " x $\frac{3}{4}$ " Meter (T-10) 1" Meter 1½" Meter 2" Meter 2" Compound Meter and larger meters	\$ 325.00 435.00 580.00 675.00 790.00 Actual Cost
Meter Relocation 48-208.001(9)		Actual Cost
Non-Potable Water 48-208.005(5)	Emergency Non-Potable Water Deliver Charge (A service offered to residents on cisterns or wells in which the FKAA will deliver emergency non-potable water during the Dry Season.)	\$ 125.00

MONTHLY FEES & CHARGES

BASE FACILITY CHARGE: 48-208.004

Meter Size	Effective 05/01/11
$\frac{3}{8}$ " x $\frac{3}{4}$ " Meter	\$ 13.04
1" Meter	32.58
1½" Meter	65.16
2" Meter	104.24
3" Meter	195.46
4" Meter	323.42
6" Meter	652.78
8" Meter	1,042.43

FLORIDA KEYS AQUEDUCT AUTHORITY

05/01/11 SUMMARY OF WATER RATES, FEES & CHARGES

Page 5 - Water

CONSUMPTION CHARGE - continued

METER SIZE BLOCK		CONSUMPTION BLOCK	Effective 05/01/11
6" Meter	1	0 - 300,000 gallons	\$5.47 ptg
	2	300,001 - 600,000 gallons	8.00 ptg
	3	600,001 - 1,500,000 gallons	8.96 ptg
	4	1,500,001 - 2,500,000 gallons	9.99 ptg
	5	Over 2,500,000 gallons	10.97 ptg
8" Meter	1	0 - 480,000 gallons	\$5.47 ptg
	2	480,001 - 960,000 gallons	8.00 ptg
	3	960,001 - 2,400,000 gallons	8.96 ptg
	4	2,400,001 - 4,000,000 gallons	9.99 ptg
	5	Over 4,000,000 gallons	10.97 ptg

RECLAIMED WATER CONSUMPTION CHARGE 48-401 Per Thousand Gallons, billed in 100 gallon increments

70% of each Potable Rate Block (see Consumption Charge Chart above)

FIRE SERVICE MONTHLY RATE: 48-208.004

LINE SIZE CHARGE: 05/01/11

2"	\$ 9.58
3"	17.97
4"	29.89
6"	59.88
8"	95.79
10"	137.71
12"	185.60

FLORIDA KEYS AQUEDUCT AUTHORITY

05/01/11 SUMMARY OF WASTEWATER RATES, FEES & CHARGES

Page 1 - Wastewater

ITEM	SECTION/EXPLANATION	AMOUNT
System Development Charge 48-307.004(24)	BIG COPPITT DISTRICT - Residential Single Family - Residential Multiple Unit - Multiple Unit (Commercial/Residential) After initial construction of the wastewater system, SDC shall be based on the total number of Fixture Values to be served at a Premises.	Contact Monroe County Board of County Commissioners
System Development Charge 48-307.004(22)	CONCH KEY / DUCK KEY DISTRICT - Residential Single Family (unit based) - Residential Multiple Unit (unit based) - Multiple Unit (Commercial/Residential) SDC shall be based on the number of residential units combined with the total number of Fixture Values for non-residential units to be served at a Premises.	\$2,700.00 per Unit \$71.00 per Fixture Value
System Development Charge 48-307.004(23)	BAY POINT DISTRICT - Residential Single Family (unit based) - Residential Multiple Unit (unit based) - Multiple Unit (Commercial/Residential) SDC shall be based on the number of residential units combined with the total number of Fixture Values for non-residential units to be served at a Premises.	\$2,700.00 per Unit \$71.00 per Fixture Value
System Development Charge 48-307.004(25)	LAYTON DISTRICT - Residential Single Family (unit based) - Residential Multiple Unit (unit based) - Multiple Unit (Commercial/Residential) SDC shall be based on the number of residential units combined with the total number of Fixture Values for non-residential units to be served at a Premises.	\$3,400.00 per Unit \$90.00 per Fixture Value
System Development Charge 48-307.004(26)	KEY HAVEN DISTRICT - Residential Single Family (unit based) - All Other Services (Flow based)	\$1,800.00 per Unit \$6.85 per Gallon

FLORIDA KEYS AQUEDUCT AUTHORITY

05/01/11 MONTHLY WASTEWATER RATES, FEES & CHARGES

Page 3 - Wastewater

BIG COPPITT WASTEWATER SERVICE DISTRICT (NEW DISTRICT IN 9/2009)

BASE FACILITY CHARGE 5/01/11

Residential Base Facility Charge.....\$ 26.26

All Other Classes Base Facility Charge:

<u>Meter Size</u>	<u>Monthly Charge (Effective 5/01/11)</u>
5/8" x 3/4"	\$ 26.26
1"	\$ 98.51
1 1/2"	\$ 196.99
2"	\$ 315.20
3"	\$ 590.99
4"	\$ 984.98
6"	\$ 1,969.98

WASTEWATER FLOW CHARGE - The Wastewater Flow Charge is the monthly per thousand gallon charge for wastewater flow, based on metered water consumption, billed in 100 gallon increments:

Single Family Residential: \$ 9.94 ptg billed up to a maximum 12,000 gallons of metered water consumption per month

All other classes of service: \$ 9.94 ptg for all metered water consumption

Monthly Charge for Customers with Alternative Water Supply: \$ 55.98

CONCH KEY/HAWK'S CAY/DUCK KEY WASTEWATER SERVICE DISTRICT

BASE FACILITY CHARGE 5/01/11

Residential Base Facility Charge.....\$ 49.42

All Other Classes Base Facility Charge:

<u>Meter Size</u>	<u>Monthly Charge (Effective 5/01/11)</u>
5/8" x 3/4"	\$ 49.42
1"	\$ 123.56
1 1/2"	\$ 247.16
2"	\$ 395.43
3"	\$ 741.46
4"	\$ 1,235.76
6"	\$ 2,471.50

WASTEWATER FLOW CHARGE - The Wastewater Flow Charge is the monthly per thousand gallon charge for wastewater flow, based on metered water consumption, billed in 100 gallon increments:

Single Family Residential: \$ 7.71 ptg billed up to a maximum 12,000 gallons of metered water consumption per month

All other classes of service: \$ 7.71 ptg for all metered water consumption

Monthly Charge for Customers with Alternative Water Supply: \$70.62

FLORIDA KEYS AQUEDUCT AUTHORITY
05/01/11 MONTHLY WASTEWATER RATES, FEES & CHARGES

Page 5 - Wastewater

KEY HAVEN WASTEWATER SERVICE DISTRICT (acquired 9/17/09)

(These rates were approved by the Public Service Commission based on their Rate Adoption Process)

BASE FACILITY CHARGE

5/01/11

Residential Base Facility Charge.....\$ 33.74

All Other Classes Base Facility Charge:

<u>Meter Size</u>	<u>Monthly Charge (Effective 5/01/11)</u>
5/8" x 3/4"	\$ 33.74
1"	\$ 84.39
1 1/2"	\$ 168.79
2"	\$ 270.06
3"	\$ 540.13
4"	\$ 843.95
6"	\$ 1,687.92
8"	\$ 2,700.69

WASTEWATER FLOW CHARGE - The Wastewater Flow Charge is the monthly per thousand gallon charge for wastewater flow, based on metered water consumption, billed in 100 gallon increments:

Single Family Residential: \$ 8.88 ptg billed up to a maximum 10,000 gallons
of metered water consumption per month

General Service (Commercial): \$10.66 ptg for all metered water consumption
(Commercial Service Meters 3/4" and larger)

Lynnette Bonin

From: Josh Nestor
Sent: Thursday, February 09, 2012 1:27 PM
To: Ted Lipham
Cc: Lynnette Bonin
Subject: FW: Peary Court Wastewater/Solid waste

Ted,

See below. This outlines the plan for turning over the storm/sewer/solid waste to a new owner at Peary Court.

From: Jeff Green
Sent: Thursday, February 09, 2012 2:06 PM
To: Josh Nestor
Subject: FW: Peary Court Wastewater/Solid waste

Josh,

FYI

Jeff

From: Jeff Green
Sent: Tuesday, January 10, 2012 7:42 AM
To: 'Jay Gewin'
Subject: RE: Peary Court Wastewater/Solid waste

Thanks Jay, appreciate the quick turnaround.

V/R
Jeff

Jeff Green
Gulf Coast Development Manager | Balfour Beatty Communities
NCBC Gulfport | 3502 East Eighth Street, Bldg 452 | Gulfport, Ms. | 39501
C: 610-570-0142 | jgreen@bbcgrp.com
F: 228-863-0428
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From: Jay Gewin [<mailto:jgewin@keywestcity.com>]
Sent: Monday, January 09, 2012 10:04 AM
To: Jeff Green
Subject: Re: Peary Court Wastewater/Solid waste

Under the assumption that the Peary Court property is sold to one private company, and not divided into individual parcels, our plans would be as follows:

1) **Stormwater** - The property owner would be billed the total number of residential unit monthly charges. (\$7.68 multiplied by the total number of units per month)

2) **Sewer** - Since none of the homes have individual meters, the total would be calculated from the water meter at the street. This total would be the number of base charges units per household (\$23.23 multiplied by the total number of units per month) plus \$4.60 per thousand gallons of wastewater used.

The amount of wastewater used is calculated at 80% of the flow through the water meter. Since the City is not assuming ownership of the roads on property, the private owner will assume ownership and maintenance requirements for all laterals on site up to the property line.

3) **Solid Waste** - The monthly charge for twice a week solid waste, and once a week recycle service would be calculated at \$26.60 multiplied by the total number of units per month.

If you have any further questions, or need any clarification, please let me know.

*Jay Gewin
Utilities Manager
City of Key West
305-809-3902*

On Fri, Jan 6, 2012 at 2:56 PM, Jeff Green <JGreen@bbcgrp.com> wrote:
Mr. Gewin,

I spoke with you earlier this week in reference to the utilities at Peary Court. Our company has the lead, along with our Navy partner, on spearheading sale of Peary Court. In response to a data call I would greatly appreciate your help and expertise.

Could you please provide a statement on how and under what circumstances the provision of wastewater and solid waste services will continue after transfer of the property to a civilian owner.

Unfortunately, and I apologize, this is a short fused request, but would appreciate a reply by JAN 11, 2012.

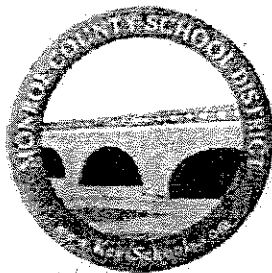
Thanks

*V/R
Jeff*

*Jeff Green
Gulf Coast Development Manager | Balfour Beatty Communities
NCBC Gulfport | 3502 East Eighth Street, Bldg 452 | Gulfport, Ms. | 39501
C: 610-570-0142 | jgreen@bbcgrp.com
F: 228-863-0428
www.bbcgrp.com*

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DR. JESUS F. JARA
Superintendent of Schools



Constant Improvement

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DR. R. DUNCAN MATHEWSON, III

District # 4
JOHN R. DICK
Chair

District # 5
RONALD A. MARTIN

January 12, 2012

Mr. Ron A. Demes
Naval Air Station Key West
P.O. Box 9007
Code 188
Key West, FL 33040-9007

Re: Peary Court

The purpose of this letter is to notify you that the Monroe County School District will continue to support the students living in Peary Court when the property has been sold.

If you need any additional information or have any questions I can be reached at 305-293-1400 ext. 53332.

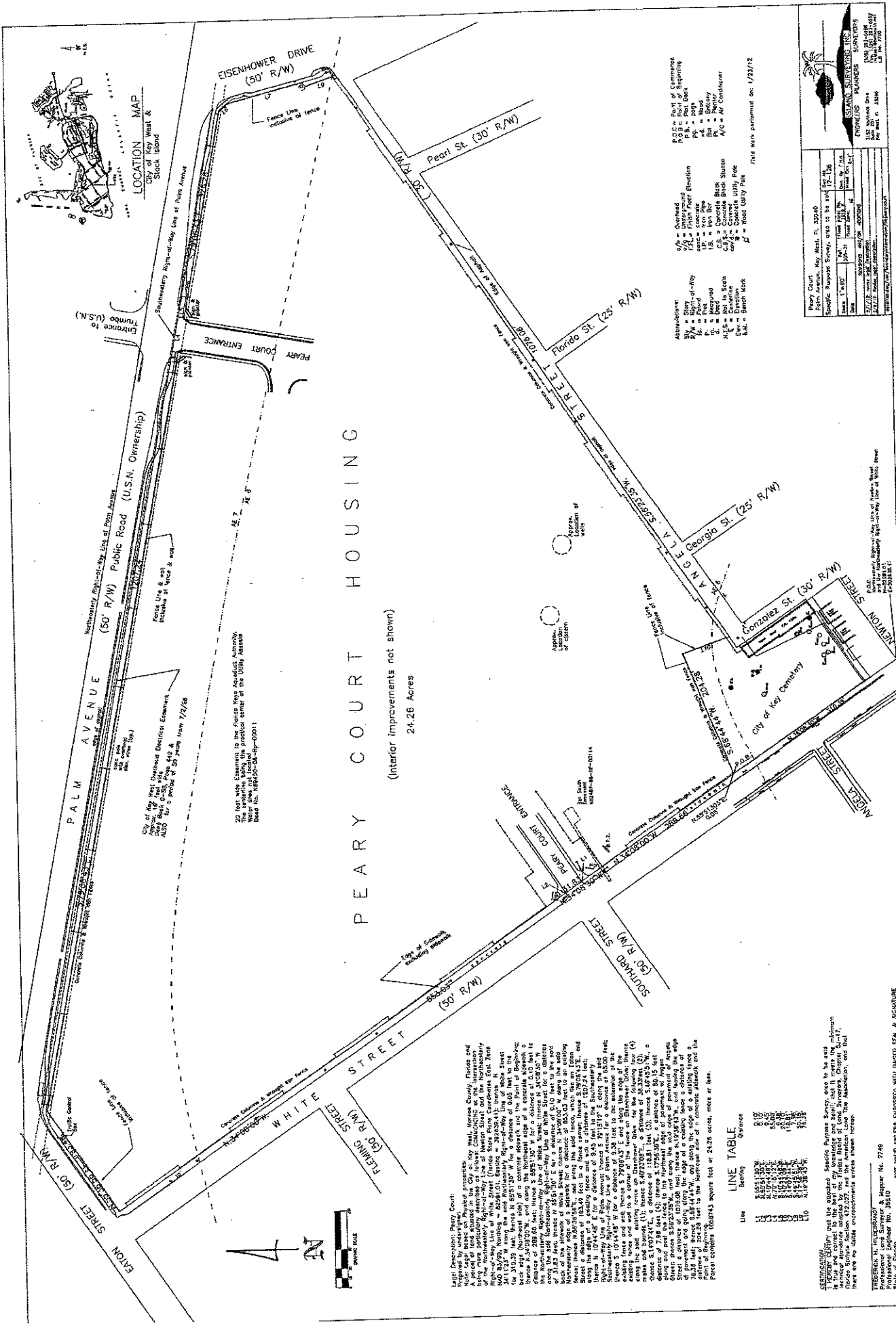
Sincerely,

Dr. Jesus F. Jara
Superintendent of Schools

JFJ/sss

Balfour Beatty
Communities

Attachment 4



Legal Description: Peary Court: ...

LINE TABLE

Line	Bearing	Distance
1	S 89° 15' 00" E	8.00
2	S 89° 15' 00" E	8.00
3	S 89° 15' 00" E	8.00
4	S 89° 15' 00" E	8.00
5	S 89° 15' 00" E	8.00
6	S 89° 15' 00" E	8.00
7	S 89° 15' 00" E	8.00
8	S 89° 15' 00" E	8.00
9	S 89° 15' 00" E	8.00
10	S 89° 15' 00" E	8.00

NOT VALID UNLESS ENDORSED WITH RAISED SEAL & SIGNATURE

PROFESSIONAL ENGINEER No. 2746

ISLAND SURVEYING INC.

112 N. Highway One
Fort Myers, FL 33901
Phone: 813-935-1111
Fax: 813-935-1112

PEARY COURT
24.26 Acres
112 N. Highway One
Fort Myers, FL 33901
Phone: 813-935-1111
Fax: 813-935-1112

Balfour Beatty
Communities

Attachment 5

Balfour Beatty Communities

12 February, 2012

Mr. Don Craig – AICP, Planning Director
The City of Key West
PO Box 1409
Key West, FL 33041-1409

Re: Stratification of Tenant Types

Dear Mr. Craig:

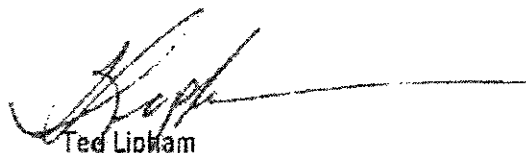
In response to your letter dated February 3, 2012, the following information is offered for your review and use:

- 1) The current average rental rate is \$1,954.02 – rent is not charged by family size.
- 2) The current number of Public Sector Civilian leases is 40.
- 3) The current number of Military leases is 93.
- 4) The current number of Other Preferred/Retirees is 9.
- 5) The current number of DOD Affiliated Civilians is 8.

Note: This is a snapshot in time and reflects 1 unit used for and office/model and 6 vacancies.

I trust this will satisfy the City of Key West's request concerning the stratification of tenant types.
Please let me know if you have questions or require additional information.

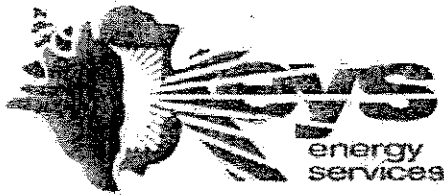
Sincerely,



Ted Lipham
Project Director
Navy Region Southeast

Balfour Beatty
Communities

Attachment 6



(705) 795-1000
1001 James Street
PO Box 6100
Key West, FL 33041-6100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

January 25, 2012

Mr. Jeff Green
Balfour Beatty Communities
3502 East Eighth Street, Bldg 452
Gulfport, MS 39501

Re: Peary Court Housing Project
Palm Ave and White Street
Key West, Florida

Dear Mr. Green:

I am in receipt of your email request for written clarification of how and under what circumstances the provision of service will continue after the conveyance of the Peary Court Housing project from government control to the private sector occurs. As we have previously discussed, Keys Energy Services will require that all locations be metered independently.

In order to accomplish this metering task and continue the operation of the electrical facilities, the following check list must be completed prior to the move from a government owned facility to the private sector:

- All the electrical facilities (Transformers, Underground Cables, Concrete Pads, Outdoor Lighting and Circuits, Meter Centers on each housing unit and electrical disconnects, as well as all grounding schemes) will have to be inspected and any violations of the electrical Codes, (NEC and NESC) must be brought into compliance. The City of Key West's Electrical Inspector, or a private Certified Electrical Inspector, must certify all the electrical services prior to the connection.
- Load information will be required (Project Review Forms) for each commercial site that will require power.
- All fees must be paid. (Contributions In Aid of Construction, Initial Permanent Service Charges and Security Deposits) In order for Keys Energy Services to provide an estimated cost, we would need to know the number of individual residential units, as well as the number of commercial sites (see above for commercial facility requirements)
- If the electrical facilities are to be turned over to Keys Energy Services to maintain and operate, all deficiencies must be corrected at the owner's expense prior to the official turn over.

The Peary Court Housing is currently master metered because Keys Energy Services has a special commodities contract with the US Military to provide service in this manner.

Keys Energy Services has implemented policies that restrict master meters for multiple residential or commercial customers. If the metering changes are not accomplished prior to the conveyance of the property, Keys Energy Services will have no choice other than to remove the master meter and interrupt services until such time as all meters have been set for each individual location. This includes any commercial activity that may remain on the property, for example the Keys Federal Credit Union.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Tejeda', with a stylized flourish at the end.

Alex Tejeda
Customer Services Director

C:

Jack Watzler, Assistant General Manager/CFO
Dale Finigan, Director of Engineering Services/Control
Matthew Alfonso, Engineering Services Supervisor
Nathan Eden, Attorney for the Utility Board of the City of Key West
Ron Demes, Naval Air Station Key West
Don Craig, Planning Director
David Paul Horan, Horan, Wallace, & Higgins LLP

Lynnette Bonin

From: Josh Nestor
Sent: Wednesday, February 08, 2012 4:28 PM
To: Ted Liphart
Cc: Lynnette Bonin
Subject: Fw: Peary Court

Ted,

Looks like Keys Energy would be willing to work with the new buyer on a "grace period" but will not agree to anything until they get a timeframe from the buyer on how long it would take.

Sent wirelessly via BlackBerry!

From: Tejeda, Alex [<mailto:Alex.Tejeda@KeysEnergy.com>]
Sent: Wednesday, February 08, 2012 05:24 PM
To: Josh Nestor
Subject: RE: Peary Court

Good afternoon Josh,

We would have to further discuss the process of conveyance. We would need time frames from the buyers of how long it would take to make the necessary changes to individually meter the entire site before we can agree to any deviation from the terms contained in my letter.

Alex

From: Josh Nestor [<mailto:JNestor@bbcgrp.com>]
Sent: Wednesday, February 08, 2012 4:38 PM
To: Tejeda, Alex
Subject: Peary Court

Alex,

Good afternoon. My name is Josh Nestor with Balfour Beatty Communities. I have taken over for Jeff Green. I have attached the letter you provided us on the process of turning over the property to a new buyer. In the letter it lists all items that will need to be completed. Will the purchaser have a "grace period" to complete these once they take over or will this all have to be complete prior to conveyance? Thanks for your help.

Josh Nestor
Development Associate
Balfour Beatty Communities
Navy Southeast | 916-A Essex Circle N | Jacksonville, FL | 32228
C: 610-570-7361
www.bbcgrp.com



THE CITY OF KEY WEST

Post Office Box 1109 Key West, FL 33041 (305) 309-3700

February 3, 2012

VIA ELECTRONIC MAIL

Mr. Ron A. Demes
Naval Air Station Key West
P.O. Box 9007
Code 188
Key West, FL 33040-9007

Mr. David Paul Horan
Horan, Wallace, & Higgins LLP
608 Whitehead Street
Key West, Florida 33040-6549

RE: Follow-Up Letter to January 26, 2012 Development Review Committee Meeting

Dear Mr. Demes and Mr. Horan,

The purpose of this letter is to summarize areas where additional information is necessary for the City to process the future land use amendment and subsequent rezoning for Peary Court, based on the January 26, 2012 Development Review Committee (DRC) meeting, as well as information requested by the Planning Department in the Peary Court Development Review Committee Letter, dated December 19, 2011 (Attachment 1). This letter does not provide a summary of all comments raised at the DRC meeting; however, summarizes areas where additional information is needed for DRC staff review. In an effort to facilitate an efficient review, the City requests the following information be provided prior to taking the future land use element and corresponding map amendment proposal to the Planning Board for their consideration:

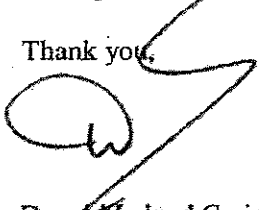
- Please provide information demonstrating how the 157 units at Peary Court have been incorporated into the Hurricane Evacuation Model. The Planning Department has received a draft document prepared by the Department of Economic Opportunity dated January 20, 2012 (Attachment 2), but no official letter has been provided. The Planning Department is specifically seeking confirmation of the following:
 - Does the hurricane evacuation model reflect the existing civilian component, as well as the proposed civilian component under new ownership? This question is being asked as the property has in recent years converted from providing strictly military housing to civilian housing. The City understands that under certain circumstances during a storm event, military personnel may be required to leave the base, potentially prior to other permanent residents. It is important to understand whether modeling efforts assumed that military personnel (dependent/and or active duty) would be required to evacuate in the same manner as the civilian population of the City. The configuration of the evacuation modeling inclusion of the Peary Court population can take several forms:

- 1) A letter from the Florida Department of Economic Opportunity (DEO), Community Planning Division, stating how the population was incorporated into the present and previous modeling efforts.
 - 2) A letter from the South Florida Regional Planning Council, whose responsibility it was, and is, to calibrate, manage, and direct both the inputs and outputs of the model, either directly or by contract.
 - 3) Copies of the model metadata description, which documents the data inputs of the model(s).
- Identify whether construction codes were utilized in the construction of the dwelling units, and whether there was a cross reference to a version of the Florida Building Code.
 - Please address how the change in ownership will affect the following:
 - Transportation concurrency of surrounding roads in the City;
 - Water;
 - Wastewater services;
 - Solid waste disposal;
 - Drainage/stormwater management plan;
 - Recreation;
 - Education;
 - Emergency services; and
 - If contracts and or agreements for service provision between the Navy and the City of Key West, the Florida Keys Aqueduct Authority, Keys Energy, the Monroe County School Board, or other service providers are available, please provide them for review. Also, please contact each service provider and obtain from them written statements as to how and under what circumstances the provision of services will continue after transfer of the property to a civilian owner.
 - FEMA elevation certificates were provided to the Planning Department on January 30, 2012, and have been reviewed by the City's FEMA Coordinator/Floodplain Administrator. Comments based on that review are attached to this letter (Attachment 3). Additionally, the Planning Department's February 1, 2012 letter written in response to the elevation certificate review provides separate comments (Attachment 4).
 - Please provide a current survey of the property. The only survey on file with the Planning Department includes the Peary Court cemetery, and is not correct (Attachment 5). There is conflicting data with respect to land acreages, which can only be resolved through the provision of a correct survey.
 - Based on review of the Florida Department of State Division of Historical Resources letter, dated March 19, 1991 (Attachment 6), the City's Historic Preservation Planner has requested that legible, large-scale topographical maps that would have been prepared by the archaeologists that submitted the cultural resource assessment be provided to the City. Also, please include the archaeologically sensitive areas in the updated survey.

- Please provide information regarding the current stratification of tenant types (i.e., the number of military-occupied units and civilian-occupied units, as well as associated rental ranges by family size.
- Keys Energy Services provided comments, dated January 17, 2012, requiring that all locations be metered independently on the site prior to the transition from military to private-sector ownership (Attachment 7).
- Urban Forestry comments are attached to this letter (Attachment 8).

Please do not hesitate to contact me should you have any questions or concerns. Also, please direct all correspondence to my attention at the Planning Department.

Thank you,



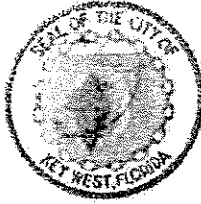
Donald Leland Craig
AICP, Planning Director
DLC/amm

Attachments:

- Attachment 1: December 19, 2011 Peary Court, Development Review Committee Letter
- Attachment 2: January 20, 2012 Draft Letter from Department of Economic Opportunity
- Attachment 3: FEMA Coordinator/Floodplain Administrator Elevation Certificate Review Comments
- Attachment 4: February 1, 2012 FEMA Letter
- Attachment 5: Property Survey
- Attachment 6: Florida Department of State Division of Historical Resources Letter, March 19, 1991
- Attachment 7: Keys Energy Services January 17, 2012 Letter
- Attachment 8: Urban Forestry Manager Comments

- C: Jim Scholl, City Manager
Mark Finigan, Assistant City Manager
Shawn Smith, City Attorney
Larry Erskine, Chief Assistant City Attorney
Scott Fraser, FEMA Coordinator
Enid Torregrosa, Historic Preservation Planner
Alan Tejeda, Customer Services Director Keys Energy Services
Paul Williams, Urban Forester
Brendon Cunningham, Senior Planner II
Ashley Monnier, Planner II

Attachment 1



THE CITY OF KEY WEST

Post Office Box 9007 Key West, FL 33040-9007 (305) 894-1700

December 19, 2011

VIA ELECTRONIC MAIL

Mr. Ron A. Demes
Naval Air Station Key West
P.O. Box 9007
Code 188
Key West, FL 33040-9007

Mr. David Paul Horan
Horan, Wallace, & Higgins LLP
608 Whitehead Street
Key West, Florida 33040-6549

RE: Peary Court, Development Review Committee Letter

Dear Mr. Demes and Mr. Horan,

The purpose of this letter is to identify additional information necessary to finalize the analysis of the Future Land Use and zoning amendments for Peary Court. Please provide the following information requested below by January 13, 2012 in order to have a complete application sufficient for the January 26, 2012 Development Review Committee (DRC) meeting:

- How have the 157 units at Peary Court been incorporated into the Hurricane Evacuation Model?
 - Does the hurricane evacuation model reflect the existing civilian component, as well as the proposed civilian component under new ownership? This question is being asked as the property has in recent years converted from providing strictly military housing to civilian housing. The City understands that under certain circumstances during a storm event, military personnel may be required to leave the base, potentially prior to other permanent residents. It is important to understand whether modeling efforts assumed that military personnel (dependent/and or active duty) would be required to evacuate in the same manner as the civilian population of the City. The configuration of the evacuation modeling inclusion of the Peary Court population can take several forms:
 - 1) A letter from the Florida Department of Economic Opportunity (DEO), Community Planning Division, stating how the population was incorporated into the present and previous modeling efforts.
 - 2) A letter from the South Florida Regional Planning Council, whose responsibility it was, and is, to calibrate, manage, and direct both the inputs and outputs of the model, either directly or by contract.
 - 3) Copies of the model metadata description, which documents the data inputs of the model(s).

- Identify whether construction codes were utilized in the construction of the dwelling units, and whether there was a cross reference to a version of the Florida Building Code.
- Please address how the change in ownership will affect the following:
 - Transportation concurrency of surrounding roads in the City;
 - Water;
 - Wastewater services;
 - Solid waste disposal;
 - Drainage/stormwater management plan;
 - Recreation;
 - Education;
 - Emergency services; and
 - If contracts and or agreements for service provision between the Navy and the City of Key West, the Florida Keys Aqueduct Authority, Keys Energy, the Monroe County School Board, or other service providers are available, please provide them for review. Also, please contact each service provider and obtain from them written statements as to how and under what circumstances the provision of services will continue after transfer of the property to a civilian owner.
- FEMA elevation certificates need to be provided for each duplex residence which meets City of Key West and FEMA standards, and compliance with applicable regulations must be demonstrated. The Planning Department understands that this requirement will not be completed prior to the January DRC meeting. However, please provide an estimated date of completion. Prior to the City certifying that each residential structure is eligible for a Certificate of Occupancy issued to either Southeast Housing LLC/Balfour Beatty, or the eventual purchaser of the property, the individual Elevation Certificate forms completed by a Florida Registered Professional Surveyor must be submitted.
- Please provide a current survey of the property. The only survey on file with the Planning Department includes the Peary Court cemetery, and is not correct. There is conflicting data with respect to land acreages, which can only be resolved through the provision of a correct survey.
- Please provide information regarding the current stratification of tenant types (i.e., the number of military-occupied units and civilian-occupied units, as well as associated rental ranges by family size.

Please do not hesitate to contact me should you have any questions or concerns,



Donald Leland Craig
AICP, Planning Director

Peary Court, Development Review Committee Letter
December 19, 2011
Page 3 of 3

C: Jim Scholl, City Manager
Mark Finigan, Assistant City Manager
Shawn Smith, City Attorney
Larry Erskine, Chief Assistant City Attorney
Brendon Cunningham, Senior Planner II
Ashley Monnier, Planner II

Attachment 2

Rick Scott
GOVERNOR



Doug Darling
EXECUTIVE DIRECTOR

January 20, 2012

Mr. Jeff Green
Gulf Coast Development Manager
Balfour Beatty Communities
3502 East Eighth Street, Bldg 452
Gulfport, Mississippi 39501

Dear Mr. Green:

Thank you for your recent inquiry regarding hurricane evacuation in the City of Key West. Specifically, you have asked the following questions:

1. *How have the 157 units at Peary Court been incorporated into the Hurricane Evacuation Model?* Hurricane modeling is based upon block group data from the census. Information regarding the number of dwelling units, the number of cars that will be driven during an evacuation and whether or not a particular unit is occupied during hurricane season is derived from census data. In 2009, the Department of Community Affairs contracted with Dr. Earl J. Baker, Florida State University, to conduct behavior surveys to update the model. The following response is an excerpt from the study conducted by Dr. Baker.

Evacuation of Military Installations

"At the suggestion of Monroe County Emergency Management, a representative of Key West Naval Air Station was interviewed with respect to the installation's evacuation procedures. Although there are other military installations in the Keys, the Naval Air Station is the largest, and procedures followed by others were thought to be similar. Jim Brooks, the Public Information Officer, was interviewed.

There are 1,676 uniformed military personnel in the Keys, including all installations, with 1,015 family members. There are up to 459 military training personnel *in addition* who would be flown out in an evacuation. Other personnel and their families would drive their own vehicles in and evacuation. Up to 100 would remain on base. Civilians assigned to the base number 848.

The Caldwell Building 107 E. Madison Street Tallahassee, Florida 32399-4120
850.245.7105 TTY/TDD 1-800-955-8771 Voice 1-800-955-8770 FloridaJobs.org



No one would evacuate prior to an evacuation order being issued by the County. (The exception presumably would be personnel removing equipment.) Salary and expenses would be paid during an mandatory evacuation, and NAS reserves hotel rooms in Orlando for personnel and dependents. Mr. Brooks estimated that 90% of personnel and families would leave within 6 hours of the evacuation order and 98% would be gone within 12 hours.

His general impression was that vehicle ownership would be comparable to the general population. It is possible that a larger percentage of available vehicles would be taken in an evacuation because certain personnel would be required to return to the base within 24 hours of passage of a hurricane."

2. *Does the hurricane evacuation model reflect the existing civilian component, as well as the proposed civilian component under new ownership?* The model is based upon how a person responds to census questions taken at ten year intervals regarding whether they live in a household or in group quarters. The software entries would have been determined by the 2000 Census. If residents within Peary Court answered census surveys indicating they lived within a "household," the unit would have been counted. For residents of barracks and other group quarters, no unit counts were developed because the starting assumption was that all group quarters residents (including military) would be evacuated ahead of any general evacuation order. Group quarters would include prisoners, residents of nursing homes, people in hospitals and other medical facilities, as well as the military personnel living in group facilities on the base.

In conclusion, it would be my assumption that the units have been counted as dwelling units in the evacuation models. If you require additional information, please contact (850)717-8494.

Sincerely,

Rebecca Jetton, Administrator
Areas of Critical State Concern

Attachment 3

Ashley Monnier

From: Ashley Monnier
Sent: Wednesday, February 01, 2012 1:56 PM
To: Scott Fraser
Cc: Don Craig; Brendon Cunningham
Subject: RE: Peary Ct.: Flood Elevations

Dear Scott, at the DRC, one of your comments concerned the existence of the two guard shacks on the property. My understanding is that as existing, they are currently non-compliant with FEMA. I plan to address this in my letter to the applicant; however, I wanted to confirm with you first.

Thanks, Ashley

From: Scott Fraser [<mailto:sfraser@keywestcity.com>]
Sent: Wednesday, February 01, 2012 1:17 PM
To: Ashley Monnier
Cc: Jo Bennett; Don Craig; Brendon Cunningham
Subject: Peary Ct.: Flood Elevations

Having reviewed the Elevation Certificates (E/Cs) submitted, I have a few floodplain comments:

- Two E/Cs appear to have the locations incorrectly identified. Surveyor has been asked to correct and provide new copies.
- An E/C hasn't been provided for one structure (accessory modular bank building). Surveyor has been asked to correct.
- One E/C wasn't signed nor sealed. Surveyor has been asked to correct and provide new copies.
- All E/Cs need to have embossed seals shaded for digital imaging
- All structures for which E/Cs were submitted appear of have their first floors above flood, as required.
 - However, with 26 of the dwelling units, the A/C units are below flood (listed below). Some by a couple of inches, others by nearly one-half foot.
- By default, most, if not all the enclosed storage areas attached to the carports, are below flood and will require flood vents

Addresses where A/C units are below flood:

102	128
103	130
104	131
105	133
106	134
107	135
119	137

120	138
122	139
124	140
125	141
126	142
127	143

A big thank you to Jo, for remembering E/Cs can't be stamped or otherwise altered, and instead ensured the cover letter was stamped received. Had they all been stamped - or otherwise noted upon - FEMA would consider them altered documents.

Note: To preserve the documentation trail, Jo is creating file names in the GEO folder for the scanned E/Cs. These file names incorporate the date received, so we'll be able to easily identify the originally submitted documents from the resubmitted corrected copies.

Scott

Scott Fraser

FEMA Coordinator/Floodplain Administrator
 305-809-3810 o.
 305-923-4964 c.
sfraser@keywestcity.com

Attachment 4



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

February 1, 2012

David Paul Horan
608 Whitehead Street
Key West, Florida 33040

After examining the newly arrived Elevation Certificates for Peary Court, staff has determined there are 26 dwellings where the A/C units are below the Base Flood Elevation (BFE) level. Typically, they are a few inches below BFE, with some as much as one-half foot too low.

Usually, such deficiencies are corrected with the installation of elevation brackets between the A/C unit and the concrete slab. New Elevation Certificates would then be required to demonstrate the machinery heights are now above the BFE. In this instance, new Elevation Certificates for 26 units would be an expensive additional cost.

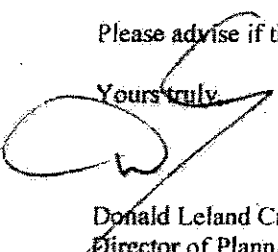
However, if brackets were to be installed that elevate the A/C units above the first floor levels, the city's Floodplain Administrator advises certification of the new heights could be accomplished administratively, saving the Applicant a few thousand dollars by eliminating the need for 26 new certificates.

This administrative certification would be accomplished using "Section G (Community Information) of the Elevation Certificate, which is available for this purpose.

Whereas a professional surveyor has already determined the first floor elevations as being above BFE, it'd be a simple matter of staff observing that the A/Cs units had subsequently been elevated above the already surveyor-certified first floor levels and thus by default, above the BFE. Staff would then complete Section G on the relevant certificates to note this change.

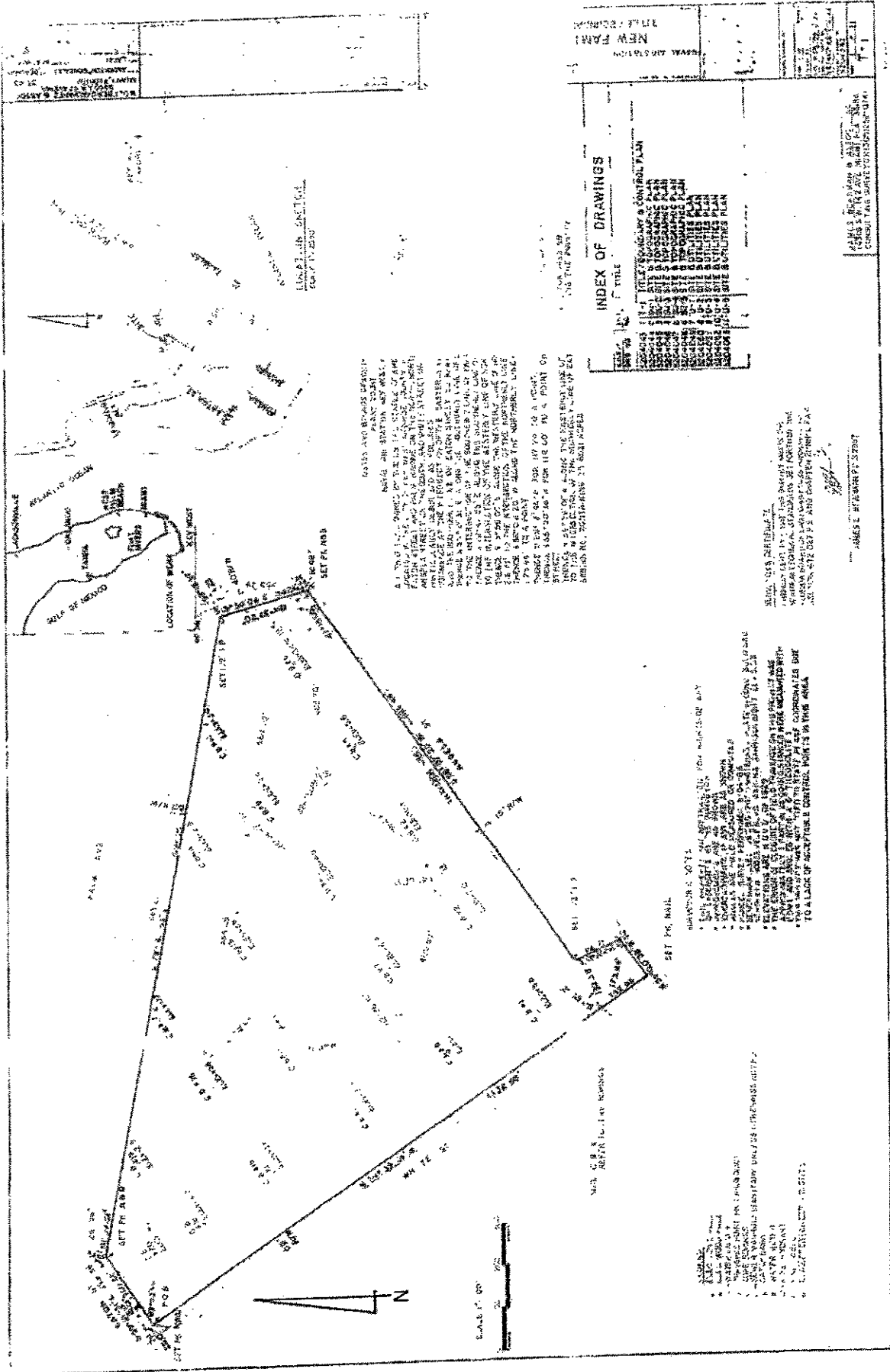
Please advise if this might be an opportunity the property owner would like to utilize.

Yours truly,


Donald Leland Craig, AICP
Director of Planning

cc: Ron Demes, U.S. Navy
Ashley Monnier
Mark Finigan
John Woodson

Attachment 5



NO.	DESCRIPTION	DATE
1	NEW FARM	1/1/50
2	PAVING	1/1/50
3	CONCRETE	1/1/50
4	BRICK	1/1/50
5	WOOD	1/1/50
6	IRON	1/1/50
7	SETBACKS	1/1/50
8	EASEMENTS	1/1/50
9	NEW FARM	1/1/50
10	PAVING	1/1/50
11	CONCRETE	1/1/50
12	BRICK	1/1/50
13	WOOD	1/1/50
14	IRON	1/1/50
15	SETBACKS	1/1/50
16	EASEMENTS	1/1/50
17	NEW FARM	1/1/50
18	PAVING	1/1/50
19	CONCRETE	1/1/50
20	BRICK	1/1/50
21	WOOD	1/1/50
22	IRON	1/1/50
23	SETBACKS	1/1/50
24	EASEMENTS	1/1/50
25	NEW FARM	1/1/50
26	PAVING	1/1/50
27	CONCRETE	1/1/50
28	BRICK	1/1/50
29	WOOD	1/1/50
30	IRON	1/1/50
31	SETBACKS	1/1/50
32	EASEMENTS	1/1/50
33	NEW FARM	1/1/50
34	PAVING	1/1/50
35	CONCRETE	1/1/50
36	BRICK	1/1/50
37	WOOD	1/1/50
38	IRON	1/1/50
39	SETBACKS	1/1/50
40	EASEMENTS	1/1/50
41	NEW FARM	1/1/50
42	PAVING	1/1/50
43	CONCRETE	1/1/50
44	BRICK	1/1/50
45	WOOD	1/1/50
46	IRON	1/1/50
47	SETBACKS	1/1/50
48	EASEMENTS	1/1/50
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50	PAVING	1/1/50
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93	WOOD	1/1/50
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96	EASEMENTS	1/1/50
97	NEW FARM	1/1/50
98	PAVING	1/1/50
99	CONCRETE	1/1/50
100	BRICK	1/1/50

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NOTES

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99. CONCRETE
100. BRICK

Attachment 6



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF HISTORICAL RESOURCES

R.A. Gray Building
500 South Bronough

Tallahassee, Florida 32399-0250

Director's Office Telecopier Number (FAX)
(904) 488-1480 (904) 488-3353

March 19, 1991

Hugh A. McClellan, Chief
Environmental Services Branch
Department of the Army
Mobile District, Corps of Engineers
Mobile, Alabama 36628-0001

In Reply Refer To:
Susan M. Herring
Historic Sites Specialist
(904) 487-2333
Project File No. 910671

RE: Cultural Resource Assessment Review Request
*Archaeological and Historical Investigations for
Proposed U.S. Navy Peary Court Housing Project
Key West, Monroe County, Florida
(U.S. Army Corps of Engineers, March 1991)*

Dear Mr. McClellan:

In accordance with the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the above referenced project(s) for possible impact to archaeological and historical sites or properties listed, or eligible for listing, in the National Register of Historic Places. The authority for this procedure is the National Historic Preservation Act of 1966 (Public Law 89-665), as amended.

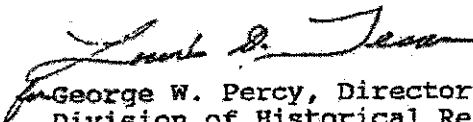
We have reviewed the above referenced report and find it to be complete and sufficient. On the basis of the information presented, we concur with the results of the investigations performed by the Mobile District archaeologists. We also concur with the recommendations that construction be allowed at all areas within Peary Court except for the area of the Key West Cemetery with buffer zone, the well at Cistern 10, and the area of suspected wells under the loop road. *

Mr. McClellan
March 19, 1991
Page 2

Thus, with the provision that the Navy adhere to the above referenced stipulations and the conditions of the Peary Court Memorandum of Agreement, it is the opinion of this agency that project activities will have no effect on any archaeological or historic sites or properties listed, or eligible for listing, in the National Register of Historic Places, or otherwise of national, state, regional, or local significance. The project is consistent with the historic preservation aspects of Florida's coastal zone program, and may proceed without further involvement with this agency.

If you have any questions concerning our comments, please do not hesitate to contact us. Your interest in protecting Florida's archaeological and historic resources is appreciated.

Sincerely,



for George W. Percy, Director
Division of Historical Resources
and
State Historic Preservation Officer

GWP/smh

RECOMMENDATIONS

Based upon the archeological investigations at the U.S. Navy Peary Court property and subsequent discussions between the Navy, the Florida State Historic Preservation Officer (SHPO) and Mobile District, and in accordance with the Peary Court Memorandum of Agreement, it is recommended that the Navy set aside from any future development the area identified as the Key West Post cemetery. This would leave undisturbed those burials which were not moved in 1927 and obviate the need for additional archeological investigations in this area. As per discussions with the Florida SHPO and provisions of the Peary Court Memorandum of Agreement, a historic preservation plan has been prepared to outline the cemetery preservation and maintenance needs. Appendix 1 contains this plan.

Within the Barracks area, only the artesian well, located adjacent to the remains of Cistern 10, is recommended for avoidance and future preservation. At least two other wells are thought to be under the southern portion of the Peary Court loop drive. Figure 2 shows the location of the well at Cistern 10 and the suspected location of the other wells. It is presently anticipated that these areas will be avoided by construction activities. The well at Cistern 10 will be left in its present undeveloped state as part of the preservation of the adjacent seagrape.

The suspected wells are located under the present loop road at Peary Court. It is planned that no subsurface activities will occur at this location, only repaving over the existing pavement.

There has been no historic preservation plan prepared for either the well at Cistern 10 or the suspected wells. There will be no required maintenance efforts at these sites and they will be noted as areas for avoidance of subsurface activities. If it is determined that either location cannot be avoided and they will be affected by construction additional archeological investigation will be required.

The archival research and archeological investigations conducted by Mobile District strongly indicate that no significant archeological remains will be found associated with the few surviving structural elements from the Key West Army Barracks. Demolishment of the Barracks buildings, erection and subsequent destruction of the Wherry housing units, and construction of the park ball fields have dramatically disturbed the Peary Court lands.

Although three semi-subterranean cisterns were located and more may be expected, none contained significant archeological materials or deposits. The Barracks cisterns appear to have been used and kept clean until their destruction in the 1940s. Because of their raised construction style, only a few concrete piers and brick column remnants may be expected to remain from the barracks, officer's housing, and public buildings. Although scattered remains of building piers and supports, as well as cisterns, are anticipated to be

45
Figure 2 is not in the documents!
Founded.

uncovered during construction activities, these sort of remains do not merit additional archeological investigations. The available maps, particularly the 1906 map, and period photographs tell us more about the Barracks buildings than could formal excavations. Encountering such remains would not in our opinion constitute an emergency discovery situation under the provisions of the Peary Court Memorandum of Agreement.

No Army refuse dumps or outhouses were discovered by the Mobile District investigations. Although it is believed that Army refuse was hauled off post and that outhouses were emptied by "night carts", there is the possibility that an emergency discovery of these sort of features or even isolated burials could occur during construction of the new Navy housing. Therefore, if these sort of remains are encountered, the Navy should be prepared to implement the emergency discovery provisions of the Peary Court Memorandum of Agreement.

In summary, it is the opinion of the Mobile District that construction be allowed without notification at all areas within Peary Court except for the area of the Key West Post Cemetery and a buffer zone, the well at Cistern 10 and the area of suspected wells under the loop road. The required cemetery buffer zone lies on the north and northeast sides of the cemetery and consists of a 5' set back from the original fence post holes to a new wrought iron fence, a 25' set back from the original fence post holes to new dwellings, and a 50' setback from the original fence post holes to any storm water runoff ponds.

Attachment 7



(305) 295-1000
1001 James Street
PO Box 5100
Key West, FL 33041-6100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

January 17, 2012

Mr. Jeff Green
Balfour Beatty Communities
617 Front Street
Key West, Florida 33040

Re: Peary Court Housing Project
Palm Ave and White Street
Key West, Florida

Dear Mr. Green:

I am in receipt of your email request for written clarification of how and under what circumstances the provision of service will continue after the conveyance of the Peary Court Housing project from government control to the private sector occurs. As we have previously discussed, Keys Energy Services will require that all locations be metered independently.

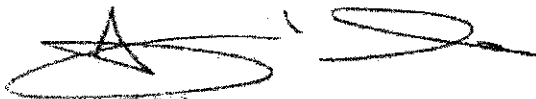
In order to accomplish this metering task and continue the operation of the electrical facilities, the following check list must be completed prior to the move from a government owned facility to the private sector:

- All the electrical facilities (Transformers, Underground Cables, Concrete Pads, Outdoor Lighting and Circuits, Meter Centers on each housing unit and electrical disconnects, as well as all grounding schemes) will have to be inspected and any violations of the electrical Codes, (NEC and NESC) must be brought into compliance. The City of Key West's Electrical Inspector, or a private Certified Electrical Inspector, must certify all the electrical services prior to the connection.
- Load information will be required (Project Review Forms) for each commercial site that will require power.
- All fees must be paid. (Contributions In Aid of Construction, Initial Permanent Service Charges and Security Deposits) In order for Keys Energy Services to provide an estimated cost, we would need to know the number of individual residential units, as well as the number of commercial sites (see above for commercial facility requirements)
- If the electrical facilities are to be turned over to Keys Energy Services to maintain and operate, all deficiencies must be corrected at the owner's expense prior to the official turn over.

The Peary Court Housing is currently master metered because Keys Energy Services has a special commodities contract with the US Military to provide service in this manner.

Keys Energy Services has implemented policies that restrict master meters for multiple residential or commercial customers. If the metering changes are not accomplished prior to the conveyance of the property, Keys Energy Services will have no choice other than to remove the master meter and interrupt services until such time as all meters have been set for each individual location. This includes any commercial activity that may remain on the property, for example the Keys Federal Credit Union.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Tejeda', with a stylized flourish at the end.

Alex Tejeda
Customer Services Director

C:

Jack Wetzler, Assistant General Manager/CFO
Dale Finigan, Director of Engineering Services/Control
Matthew Alfonso, Engineering Services Supervisor
Nathan Eden, Attorney for the Utility Board of the City of Key West
Ron Demes, Naval Air Station Key West
Don Craig, Planning Director
David Paul Horan, Horan, Wallace, & Higgins LLP

Attachment 8

MEMORANDUM

TO: Brendon Cunningham, Planning Department, City of Key West

FROM: Karen DeMaria, Interim Urban Forestry Manager, City of Key West

DATE: October 5, 2011

RE: Peary Court

On October 3, 2011, a site inspection was done of the entire Peary Court complex. Photos were taken of the site. No currently listed Champion Trees are located on the site. This review does not address that area set aside as the cemetery area.

Numerous very large diameter trees are located throughout the complex. It does appear that some maintenance (trimming) will need to be done to the landscaping and the existing trees. Any maintenance trimming, removal, or relocation of trees on the property will require permits and review by the Tree Commission as stated in Section 110-321 of the Land Development Regulations:

- Any trees listed as "specially protected" in section 110-253;
- Any monocot trees (palms) eight feet or more in height;
- Any dicot trees 3.5 inches or more diameter at breast height;
- Any trees located on public property.



Ashley Monnier

From: Don Craig
Sent: Tuesday, February 21, 2012 8:25 AM
To: Ashley Monnier
Subject: Fwd: Sale of Peary Court
Attachments: smime.p7s

FYI
DC

----- Forwarded message -----

From: Demes, Ron A CIV CNRSE, N02 <ron.demes@navy.mil>
Date: Tue, Feb 14, 2012 at 4:36 PM
Subject: RE: Sale of Peary Court
To: Jim Scholl <jscholl@keywestcity.com>
Cc: Ted Lipham <TLipham@bbcgrp.com>, Lynnette Bonin <LBonin@bbcgrp.com>, Don Craig <dcraig@keywestcity.com>, Shawn Smith <sdsmith@keywestcity.com>

Thank you

-----Original Message-----

From: Jim Scholl [<mailto:jscholl@keywestcity.com>]
Sent: Tuesday, February 14, 2012 16:36
To: Demes, Ron A CIV CNRSE, N02
Cc: Ted Lipham; Lynnette Bonin; Don Craig; Shawn Smith
Subject: RE: Sale of Peary Court

Ron,

Your statement is true. The sale of the property at Peary Court will not have any negative impact on recreation in the City of Key West.

Jim Scholl
City Manager
Key West FL

-----Original Message-----

From: Demes, Ron A CIV CNRSE, N02 [<mailto:ron.demes@navy.mil>]
Sent: Tuesday, February 14, 2012 1:57 PM
To: James Scholl
Cc: Ted Lipham; Lynnette Bonin
Subject: FW: Sale of Peary Court

Mr. Scholl: Would you please send us confirmation that sale of Peary Court will not have any negative impact on recreation in the city.

V/r, Ron

R. A. DEMES
Executive Director/Business Manager
Naval Air Station
P. O. Box 9001
Key West, Florida 33040-9001
305.293.2866 Executive Suite
305.293.2488 XD/BM desk
305.293.2230 Fax
305.797.0158 XD/BM Cell
mailto:ron.demes@navy.mil

-----Original Message-----

From: Jim Scholl [<mailto:jscholl@keywestcity.com>]
Sent: Tuesday, January 24, 2012 16:15
To: Demes, Ron A CIV CNRSE, N02
Subject: RE: Sale of Peary Court

Ron,

When Peary Court is sold and the zoning change occurs, the units will all be placed on the City tax roll and therefore will be afforded the police, fire and emergency services that are the same as all taxed properties in the City of Key West.

Jim Scholl
City Manager
Key West

-----Original Message-----

From: Demes, Ron A CIV CNRSE, N02 [<mailto:ron.demes@navy.mil>]
Sent: Tuesday, January 24, 2012 1:08 PM
To: Jim Scholl
Subject: Sale of Peary Court

Jim Scholl: I wanted to confirm the discussion we had a few weeks ago regarding Peary Court when the Navy longer owns the property. Please confirm that upon sale of Peary Court, the City will assume police, fire and emergency services responsibly for the property as it provides for any other part of the city of Key West. We understand that the mutual aid agreement for Fire our fire department will not change as a result of the sale and we will still support the city in accordance with the agreement.

V/r, Ron Demes

R. A. DEMES

Executive Director/Business Manager
Naval Air Station
P. O. Box 9001
Key West, Florida 33040-9001
305.293.2866 Executive Suite
305.293.2488 XD/BM desk
305.293.2230 Fax
305.797.0158 XD/BM Cell
mailto:ron.demes@navy.mil

--
Donald Leland Craig , AICP

From: Scott Fraser
To: lynn@oflynnsurveying.com
Cc: Ashley Monnier; Jo Bennett
Subject: Received Elevation Cert. 553 Peary Ct. Modular
Date: Wednesday, February 15, 2012 3:37:47 PM

We've received the Elevation Certificate for the modular building located adjacent to the commercial building now occupied by the credit union. A review of this certificate shows there aren't any flood level concerns with this structure nor its mechanicals.

This completes the number of E/C that were needed for the Peary Court project. All previous concerns with certificates submitted have now been favorably addressed.

The remaining flood concerns relate to:

1. Unattached enclosed storage structures attached to the carports (flood vents)
2. Height of air conditioning units
3. Guard sheds (flood vents)

Thank you,

Scott
Scott Fraser
FEMA Coordinator/Floodplain Administrator
305-809-3810 o.
305-923-4964 c.
sfraser@keywestcity.com

Exhibit 6

Balfour Beatty Communities

12 February, 2012

Mr. Don Craig – AICP, Planning Director
The City of Key West
PO Box 1409
Key West, FL 33041-1409

Re: Stratification of Tenant Types

Dear Mr. Craig:

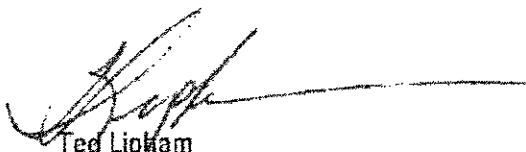
In response to your letter dated February 3, 2012, the following information is offered for your review and use:

- 1) The current average rental rate is \$1,954.02 – rent is not charged by family size.
- 2) The current number of Public Sector Civilian leases is 40.
- 3) The current number of Military leases is 93.
- 4) The current number of Other Preferred/Retirees is 9.
- 5) The current number of DOD Affiliated Civilians is 8.

Note: This is a snapshot in time and reflects 1 unit used for and office/model and 6 vacancies.

I trust this will satisfy the City of Key West's request concerning the stratification of tenant types. Please let me know if you have questions or require additional information.

Sincerely,



Ted Liphman
Project Director
Navy Region Southeast

Exhibit 7

RESOLUTION NO. 12-091

A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF KEY WEST, FLORIDA, ADOPTING
THE ATTACHED MAXIMUM INCOME, SALE AND
RENT SCHEDULE; PROVIDING FOR AN EFFECTIVE
DATE

WHEREAS, Section 122-1472 of the Code of Ordinances
establishes Workforce Housing guidelines for income, sale and
rent restrictions; and

WHEREAS, the U.S. Department of Housing and Urban
Development annually publishes Median Income and Maximum Income
and Rent Limits; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the attached schedule of Maximum Income
Limits (Exhibit A) is hereby adopted.

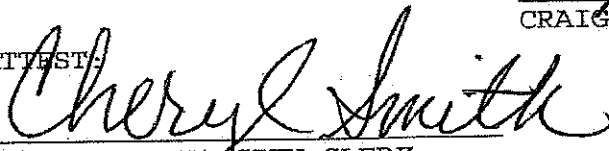
Section 2: That this Resolution shall go into effect
immediately upon its passage and adoption and authentication by
the signature of the Presiding Officer and the Clerk of the
Commission.

Passed and adopted by the City Commission at a meeting held
this 20 day of March, 2012.

Authenticated by the Presiding Officer and Clerk of the
Commission on 21 day of March, 2012.

Filed with the Clerk on March 21, 2012.

ATTEST:


CHERYL SMITH, CITY CLERK


CRAIG CATES, MAYOR

EXHIBIT "A"

City of Key West Work Force Housing Income, Sale and Rent Limits Per Ordinance No. 05-27, Section 122-1472

2012 Income Limits Adjusted to Household Size Monroe County Median Income: \$72,400 Effective 12/01/11								
Percentage Category	Number of Persons in Household							
	1	2	3	4	5	6	7	8
60%	34,740	39,660	44,640	49,560	53,580	57,540	61,500	65,460
80%	46,320	52,880	59,520	66,080	71,440	76,720	82,000	87,280
100%	57,900	66,100	74,400	82,600	89,300	95,900	102,500	109,100
120%	69,480	79,320	89,280	99,120	107,160	115,080	123,000	130,920
140%	81,060	92,540	104,160	115,640	125,020	134,260	143,500	152,740
150%	86,850	99,150	111,600	123,900	133,950	143,850	153,750	163,650
160%	92,640	105,760	119,040	132,160	142,880	153,440	164,000	174,560

2012 Sale Limits Adjusted to Family Size				
Bedrooms	80%	100%	120%	140%
Efficiency	115,800	202,650	347,400	526,890
1 Bedroom	132,200	231,350	396,600	601,510
2 Bedrooms	148,800	260,400	446,400	677,040
3 Bedrooms	165,200	289,100	495,600	751,660
4 Bedrooms	178,600	312,550	535,800	812,630

2012 Rent Limits Adjusted to Family Size (not including utilities)				
Bedrooms	80%	100%	120%	140%
Efficiency	1,158	1,448	1,737	2,027
1 Bedroom	1,322	1,653	1,983	2,314
2 Bedrooms	1,488	1,860	2,232	2,604
3 Bedrooms	1,652	2,065	2,478	2,891
4 Bedrooms	1,786	2,233	2,679	3,126

Exhibit 8

Rick Scott
GOVERNOR



Doug Darling
EXECUTIVE DIRECTOR

November 14, 2011

Mr. Don Craig, Planning Director
City of Key West Planning Department
3140 Flagler Avenue
Key West, Florida 33040

Dear Mr. Craig:

This letter responds to a recent telephone discussion regarding the City's efforts to recognize the recent sale of Peary Court by the Boca Chica Naval Air Station. I have carefully reviewed the Comprehensive Plan and the Peary Court construction background. The Key West Comprehensive Plan contains Policy 3-1.1.3 which provides the following:

Policy 3-1.1.3: Additions to LDRs. Based on the Comprehensive Plan analysis of the "growth management", the City shall repeal the growth management ordinance and adopt as part of the land development regulations: (1) an affordable housing ordinance; and (2) a rate of growth ordinance.

Ratio of Affordable Housing to be made available City-wide: 1990-2010. The affordable housing ordinance shall stipulate that at least 30 percent of all residential units constructed each year shall be affordable as herein defined. Residential or mixed use projects of less than ten residential units shall be required to either develop thirty percent of the units as affordable on or off site, or contribute a fee in lieu thereof. However, residential projects of ten or more shall be required to provide affordable units on or off site and will not have the option of fees in lieu of construction. Commercial developments shall be required to provide affordable housing units or fees in lieu thereof based on provisions to be included in the updated land development regulations.

It is my understanding that Peary Court was constructed by the Federal Government and the City and the Department of Community Affairs took the position that the Naval Air Station is not required to obtain Rate of Growth allocations. Recently, the Boca Chica NAS has elected to sell the Peary Court units in the private sector.

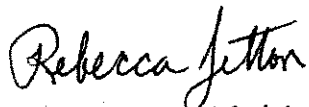
The Caldwell Building 107 E. Madison Street Tallahassee, Florida 32399-4120
850.245.7105 TTY/IDD 1-800-955-8771 Voice 1-800-955-8770 FloridaJobs.org



Don Craig
November 14, 2011
Page 2

Policy 3-1.1.3 clearly articulates the intent to set aside thirty percent of new units as affordable housing. Since these units are "new" to the City and private sector, it is my opinion that the units are subject to the 30% affordable set aside. Please telephone (850) 717-8494 for any additional information that is needed.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Jetton".

Rebecca Jetton, Administrator
Area of Critical State Concern Program

Exhibit 9

**Environmental Baseline Survey
Public / Private Venture Housing Privatization
Naval Air Station
Key West, Florida**



April 2006

Prepared by:

Southern Division
Naval Facilities Engineering Command
North Charleston, South Carolina

**ENVIRONMENTAL BASELINE SURVEY
PUBLIC / PRIVATE VENTURE HOUSING PRIVATIZATION
NAVAL AIR STATION, KEY WEST, FLORIDA**

LIST OF ACRONYMS AND ABBREVIATIONS

ACM	asbestos-containing material
AIMD	Aircraft Intermediate Maintenance Department
asl	above sea level
AST	aboveground storage tank
ASTM	American Society of Testing and Materials
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
DDT	dichloro-diphenyl-trichloroethane
DoD	Department of Defense
DoN	Department of the Navy
DPW	Department of Public Works
EBS	Environmental Baseline Survey
EBSR	Environmental Baseline Survey Report
E & E	Ecology and Environment
EPA	Environmental Protection Agency
FDPE	Florida Department of Environmental Protection
FEMA	Federal Emergency Management Agency
FNAI	Florida Natural Areas Inventory
ICRMP	Integrated Cultural Resources Management Plan
INRMP	Integrated Natural Resources Management Plan
IR	Installation Restoration
LBP	lead-based paint
LPST	leaking petroleum storage tank
MWR	Morale, Welfare, and Recreation
NAS	Naval Air Station
NFA	No Further Action
NRHP	National Registry of Historic Places
OFW	Outstanding Florida Water
OWS	oil/water separator
PCB	polychlorinated biphenyl
PAH	polycyclic aromatic hydrocarbon
ppm	parts per million
PRI	Project Resources Inc.
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
SCEG	self-contained emergency generator
SPCC	Spill Prevention, Control and Countermeasures
USACE	United States Army Corps of Engineers
USEPA	United States Environmental Protection Agency
UST	underground storage tank

ENVIRONMENTAL BASELINE SURVEY
PUBLIC / PRIVATE VENTURE HOUSING PRIVATIZATION
NAVAL AIR STATION, KEY WEST, FLORIDA

EXECUTIVE SUMMARY

In 2005, Project Resources Inc. (PRI) conducted a site visit as part of an Environmental Baseline Survey (EBS) for the naval family housing located within Naval Air Station (NAS) Key West in Monroe County, Florida. A follow-up site visit was conducted in April 2006 by Southern Division, Naval Facilities Engineering Command to assess potential changes in site conditions from the initial site visit. NAS Key West is comprised of 5,215 acres of land on six separate annexes (Boca Chica, Truman, Trumbo Point, Sigsbee Park, Branch Medical Clinic, and Saddlebunch), collectively called "NAS Key West", on Key West, Boca Chica Key, and Saddlebunch Key.

The Department of the Navy (DoN) is privatizing the family housing at NAS Key West. The DoN will issue the private entity an easement to gain access to the housing areas. An EBS is required by Department of Defense (DoD) policy before a property can be sold, leased, transferred, or acquired. No housing units are located in Boca Chica or Saddlebunch Annexes. Therefore, the environmental condition of the family housing at the four remaining annexes, herein referred to as "the subject property" was assessed during this EBS. PRI has prepared this EBS Report (EBSR) in accordance with the Statement of Work (SOW) [858] - Naval Family Housing Public / Private Venture (PPV), NAS Key West, Florida, dated September 11, 2003.

This EBSR is based on information obtained through record searches, interviews, and visual inspections of the Navy housing units and adjacent properties. Approximately ten percent of the housing units' exteriors were visually inspected during the EBS. This EBSR documents the results of this assessment.

The subject property contains 836 units in 352 buildings (See Figure 4-1 and Appendix A, Figures 1-1, 1-2, and 1-3 for location), as follows:

Truman Annex

Truman Annex contains a total of 91 units in 37 buildings. Two buildings were constructed in 1939, 22 buildings were constructed in 1956, 12 buildings were constructed in 1965, and one building was constructed in 1985.

Trumbo Point Annex

Trumbo Point Annex contains a total of 276 units in 112 buildings. Five buildings were constructed in 1941, 52 buildings were constructed in 1962, five buildings were constructed in 1965, and 50 buildings were constructed in 1993.

Sigsbee Park Annex

Sigsbee Park Annex contains a total of 464 units in 198 buildings. One hundred seventy nine buildings were constructed in 1962, and 19 buildings were constructed in 1965.

Branch Medical Clinic Annex

Branch Medical Clinic Annex contains five units/houses in five buildings constructed circa 1928.

ENVIRONMENTAL BASELINE SURVEY
PUBLIC / PRIVATE VENTURE HOUSING PRIVATIZATION
NAVAL AIR STATION, KEY WEST, FLORIDA

Representative photographs taken of the subject and adjacent properties are presented in Appendix B.

Recognized Environmental Conditions

The following recognized environmental conditions (RECs) were observed during this EBS. Recommendations regarding each REC are presented in Section 7.

Wetlands

According to interviews with NAS Key West Department of Public Works (DPW) personnel, no wetland delineation or survey has been conducted at NAS Key West. However, DPW personnel stated that any land that is unpaved or not covered with structures is considered wetlands. Based on PRI's observations and review of the housing location maps, it appears that wetlands are located within the bounds of the subject property.

Endangered/Threatened Species

According to the 2001 Integrated Natural Resources Management Plan (INRMP), there have been 25 rare, threatened, or endangered vertebrate species observed at NAS Key West. However, only seven of these 25 vertebrate species are state- or federally-listed endangered or threatened species, or species of special concern for the subject property.

Cultural Resources

According to the 2003 Integrated Cultural Resources Management Plan (ICRMP), there are 17 cultural resources (buildings, structures, and objects) at NAS Key West that are considered eligible for the National Register of Historic Places (NRHP) listing. Of the 17 cultural resources, five are located within the bounds of the subject property at the Branch Medical Clinic Annex (Quarters L-A, L-B, L-C, L-D, and L-G).

Environmental Restoration

Based on environmental records reviewed, it appears that there are a total of 14 environmental restoration sites (also referred to as the Installation Restoration [IR] sites) identified at NAS Key West. However, only three of these 14 sites are located adjacent to the subject property at Truman Annex. The following two IR sites are considered a potential environmental concern for the subject property:

- IR 1 - Truman Annex Refuse Disposal Area
- IR 3 - Truman Annex Former Dichloro-Diphenyl-Trichloroethane (DDT) Mixing Area
- IR 21 - Truman Annex Former Seminole Battery Site.

Asbestos-Containing Materials

According to an Asbestos Activity Summary (DoN, August 1997), a variety of building materials at the subject property contain asbestos. The DoN report indicates that asbestos-containing materials (ACMs) are categorized as Hazard Priority Level 5, ACMs representing a low potential hazard to occupants and workers due to being low or non-friable, and in good condition. The DoN report recommended implementation of an Operation and Maintenance (O&M) plan until these ACMs are properly abated. DPW personnel stated that some of the

ENVIRONMENTAL BASELINE SURVEY
PUBLIC / PRIVATE VENTURE HOUSING PRIVATIZATION
NAVAL AIR STATION, KEY WEST, FLORIDA

ACMs in single-story structures have been removed and an O&M plan is currently enforced at the subject property.

Based on the above information, it appears that ACMs are present at the subject property. However, in their current condition they present a low environmental concern.

Lead-Based Paint

According to a Lead Activity Summary (DoN, August 1997), selected units and playgrounds at the subject property were assessed for the presence of lead-based paint (LBP), lead in dust, and lead in soil. Based on the review of the DoN report, and interviews with on-site personnel, it appears that lead in paint, dust, and soil is present at the subject property. During site visits, the painted exterior surfaces appeared in good condition with no visible evidence of flaking, cracking, or peeling. It should be noted that, as part of this EBS, a lead survey was conducted for the subject property. Results of the lead survey were under separate cover. *[see survey reference]*

Property Classification

Based on analysis of the available data and RECs identified during this EBS, the subject property may be classified as Category 1 under the DoD Environmental Condition of Property System, which is defined below:

CATEGORY 1 - WHITE: Areas where no release or disposal of hazardous substances or petroleum products occurred (including migration of these substances from adjacent properties).

At this time, it is unclear whether the environmental restoration sites have had a significant adverse impact upon the environmental integrity of the subject property. The areas adjacent to IR 1, IR 3, and IR 21 may be classified as Category 5. Category 5 is defined as areas where release, disposal, and/or migration of hazardous substances have occurred, and removal and remedial actions are underway, but all required remedial actions have not taken place.

ENVIRONMENTAL BASELINE SURVEY
PUBLIC / PRIVATE VENTURE HOUSING PRIVATIZATION
NAVAL AIR STATION, KEY WEST, FLORIDA

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ENVIRONMENTAL BASELINE SURVEY
PUBLIC / PRIVATE VENTURE HOUSING PRIVATIZATION
NAVAL AIR STATION, KEY WEST, FLORIDA

TABLES

Table 4-1	Threatened, Endangered, or Special Concern Vertebrate Species at NAS Key West
-----------	---

FIGURES

Figure 1-1	Regional Map
Figure 4-1	Site Topographic Map

Appendix A Figures

Figure 1-1	Sigsbee Park
Figure 1-2	Truman Annex IR Sites/Fuel Sites
Figure 1-3	Trumbo Point Annex

APPENDICES

Appendix A	Housing Map
Appendix B	Photographs

ENVIRONMENTAL BASELINE SURVEY
PUBLIC / PRIVATE VENTURE HOUSING PRIVATIZATION
NAVAL AIR STATION, KEY WEST, FLORIDA

1.0 INTRODUCTION

1.1 Introduction and Background

Project Resources Inc. (PRI) conducted a site visit in 2005 as part of an Environmental Baseline Survey (EBS) of the naval family housing at the Naval Air Station (NAS), Key West, Florida. (See Regional Map, Figure 1-1.) A follow-up site visit was conducted in April 2006 by Southern Division, Naval Facilities Engineering Command to assess potential changes in site conditions from the initial site visit.

The Department of the Navy (DoN) is privatizing the naval family housing and related improvements (hereinafter referred to as "the subject property") at NAS Key West (Appendix A, Figure A-1). The DoN will issue an easement to a private entity to gain access to the subject property. An EBS is required by the Department of Defense (DoD) to identify recognized environmental conditions (RECs), if any, before a property can be sold, leased, transferred, or acquired. RECs include the presence or likely presence of hazardous substances or petroleum products associated with the subject property, or immediate vicinity. The environmental condition of the subject property was assessed during this EBS.

This Environmental Baseline Survey Report (EBSR) summarizes readily available and relevant information into a single document to establish a baseline for use by the DoN in making decisions concerning real property transaction involving the subject property. It will also be used by the DoN in meeting its obligations under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S. Code Section 9620(h), as amended by the Community Environmental Response Facilitation Act (Public Law 102-426).

Approximately 10 percent of the naval family housing in the subject property was inspected. Readily available information also was obtained and reviewed during the EBS. Photographs taken of the subject property and surrounding vicinity are presented in Appendix B.

1.2 Organization of EBSR

The organization of this EBSR follows the format for a base-wide EBS prescribed by the Naval Facilities Engineering Command Environmental Baseline Survey Guidance, March 1995, and Statement of Work (SOW) [838] -- Naval Family Housing Public / Private Venture (PPV), Naval Air Station in Key West, Florida, dated September 11, 2003. Guidelines from the American Society of Testing and Materials (ASTM D 6008-96) were also followed.

1.3 Parcel Identification and Boundaries

NAS Key West

NAS Key West is comprised of approximately 5,215 acres of land on six separate annexes, collectively called "NAS Key West", on Key West, Saddlebunch, and Boca Chica Keys in Monroe County, Florida. The six annexes include Boca Chica, Truman, Trumbo Point, Sigsbee Park, Branch Medical Clinic, and Saddlebunch Naval Radio Transmitter Facility (Saddlebunch).

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No naval family housing is located at Boca Chica or Saddlebunch Annexes. The remaining four annexes are as follows:



FIGURE
1-1

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Truman Annex

The Truman Annex, formally the Naval Station, consists of approximately 150 acres, and occupies the southwestern corner of the City of Key West. The Truman Annex includes barrack quarters and family housing; Morale, Welfare, and Recreation (MWR) facilities; and several DoN tenant commands, including communications operations.

Trumbo Point Annex

The Trumbo Point Annex consists of approximately 133 acres along the northern shore of the City of Key West. Originally, Trumbo Point Annex included three destroyer piers (Piers D-1, D-2, and D-3), which are located at the west end of the Trumbo Point Annex. However, Piers D-1 and D-2 are not considered a part of NAS Key West. Pier D-1 is used by the Key West Detachment of the Naval Air Development Center, and Pier D-2 was transferred to the United States Coast Guard. Therefore, Pier D-3 is the only pier retained by the DoN that is capable of handling ocean-going vessels. Other significant facilities include family housing, light industrial, warehouse space, and the Combined Bachelors Quarters (CBQs).

Additionally, the following two sub-areas are associated with the Trumbo Point Annex.

Fleming Key

This Navy-owned island, consisting of approximately 257 acres of land, is located immediately north of the Trumbo Point Annex. Fleming Key supports a Navy Research Laboratory, weapons operations, and other federal activities, including U.S. Army facilities and a U.S. Customs Service Animal Import Center. The City of Key West wastewater treatment plant (WTP) is located on the south side of Fleming Key. No naval family housing is at Fleming Key.

Peary Court

Peary Court consists of approximately 29 acres of land, adjacent to and south of Trumbo Point Annex, used for residential and recreational purposes. Fifty houses are located on a 24-acre area, while a historical cemetery occupies five acres. Maintained grounds are landscaped with several species of hardwood trees.

Sigsbee Park Annex

Sigsbee Park Annex is comprised of approximately 352 acres of land located on Dredgers Key, which connects to Key West via a manmade causeway, and is surrounded by the Gulf of Mexico to the north, east, and west, and South Palm Keys to the south. Sigsbee Park Annex includes MWR facilities, public works operations, family housing, and community support services, including the Navy Exchange, a commissary, and the Sigsbee School. The northern 40 acres of this annex are undeveloped.

Branch Medical Clinic Annex

The Branch Medical Clinic Annex consists of approximately 14 acres of land located on the eastern end of the City of Key West. This annex includes one multi-story medical facility, one renovated and occupied historical building, five senior officer houses, the Energy Building, and a few miscellaneous buildings.

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Subject Property

The subject property is located within the Truman, Trumbo Point, Sigbee Park, and Branch Medical Clinic Annexes of NAS Key West, and is comprised of 836 two-, three-, and four-bedroom apartments in 352 structures.

Additionally, approximately 20 playgrounds, several paved roads, and landscaped areas are located within the subject property.

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2.0 SURVEY METHODOLOGY

2.1 Approach and Rationale

This EBS employed a variety of methods to obtain the necessary information to assess the environmental condition of the subject property, including the following:

1. Search and review of available information and records in the possession of the DoN, and records made available by the regulatory agencies or other involved federal agencies
2. Review of reasonably obtainable federal, state, and local government records of facilities where there has been a release, or likely release, of hazardous substances or petroleum products or their derivatives, which is likely to cause or contribute to a release or threatened release of hazardous substance or petroleum product or their derivative within the subject property
3. Analysis of historic aerial and/or satellite imagery of the subject property and of nearby adjacent areas
4. Interviews with current owners and/or occupants of the subject property
5. Visual assessment of the subject property, and of properties immediately adjacent to the subject property, noting sewer lines, runoff patterns, evidence of environmental impact (e.g., stained soil, stressed vegetation, or dead or ill wildlife), and other observations that indicate actual or potential release of hazardous substances or petroleum products
6. Review of ongoing response actions that have been taken at the subject property or adjacent properties

2.2 Project Classification

Based on analysis of the available data and RECs identified during this EBS, the subject property may be classified into one or more of the following seven categories from the DoD Environmental Condition of Property System:

- | | |
|-------------------|---|
| CATEGORY 1 | WHITE: Areas where no release or disposal of hazardous substances or petroleum products occurred (including migration of these substances from adjacent properties) |
| CATEGORY 2 | BLUE: Areas where only a release or disposal of petroleum products or their derivatives has occurred |
| CATEGORY 3 | LIGHT GREEN: Areas where release, disposal, and/or migration of hazardous substances has occurred, but at concentrations that do not require removal or remedial action |
| CATEGORY 4 | DARK GREEN: Areas where a release, disposal, and/or migration of hazardous substances has occurred, and all remedial actions necessary to protect human health and the environment have been taken |

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- CATEGORY 5** **YELLOW:** Areas where release, disposal, and/or migration of hazardous substances have occurred, and removal and remedial actions are underway, but all required remedial actions have not taken place
- CATEGORY 6** **RED:** Areas where release, disposal, and/or migration of hazardous substances have occurred, but required actions have not been implemented
- CATEGORY 7** **GREY:** Areas that are not evaluated or require additional evaluation.

2.3 Related Reports

The following is a listing of the documents that have been reviewed for this EBS:

Blasland, Bouck & Lee, Inc. 2001. Tank Management Plan, Naval Air Station Key West, Key West, Florida. February 2001.

DoN. 1991. Final Quality Assurance Project Plan; Field Sampling Plan; Health and Safety Plan; PCB Testing, Naval Air Station Key West, Florida. November 1991.

DoN. 1993. Construction of a Solar Electro-Optical Network Facility, Key West Naval Air Complex, Key West, Florida. 1993

DoN. 1997. Asbestos Activity Summary, NAS Key West, Key West, Florida. August 1997

DoN. 1997. Lead Activity Summary, NAS Key West, Key West, Florida. August 1997

DoN. 2001. Integrated Natural Resources Management Plan for the Naval Air Facility Key West, Florida. August 2001.

Ecology and Environment (E & E). 2000. Environmental Assessment for Disposal and Refuse of Truman Waterfront, NAS Key West, Florida, Working Copy prepared for the DoN, Naval Facilities Engineering Command, Southern Division.

Ensafe PCCI. 2003. Spill Prevention, Control, and Countermeasure Plan. Prepared for Naval Air Station Key West, Florida. May 2003.

Naval Air Station Key West, Environmental Department. 2004. 90-Day Collection Points.

Project Resources Inc. *Environmental Baseline Survey, Public/Private Venture Housing Privatization, Naval Air Station, Key West, Florida.* March 2005.

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Tetra Tech NUS, Inc. 2003. RCRA Corrective Management Plan, Rev. 4, Naval Air Station, Key West, Florida. July 2003.

Tetra Tech NUS, Inc. 2004. Key West and Boca Chica Key Site Directory, Naval Air Station Key West, Florida. 2004.

United States Army Corps of Engineers, Mobil District 2003. Final Document Integrated Cultural Resources Management Plan for Naval Air Station Key West, Florida 2003-2008. Contract Number DACA01-02-D-0001. Technical assistance from Brockington and Associates, Inc. July 2003.

University of Florida, Institute of Food and Agriculture Sciences. "Florida Forestry Information." Available at <<http://www.sfrc.ufl.edu/Extension/ffws/soils.html>> as of December 28, 2004.

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3.0 PAST AND CURRENT USE

3.1 Subject Property

The subject property is the family housing community located within NAS Key West. Review of historical documents, including aerial photograph for NAS Key West, and interviews with on-site personnel revealed that prior to 1928, the majority of the land was generally vacant.

The subject property was constructed in separate phases between 1928 and 1993, as follows:

Truman Annex

Truman Annex contains a total of 91 units in 37 buildings. Two buildings were constructed in 1939, 22 buildings were constructed in 1956, 12 buildings were constructed in 1965, and one building was constructed in 1985.

Trumbo Point Annex (including Peary Court)

Trumbo Point Annex contains a total of 276 units in 112 buildings. Five buildings were constructed in 1941, 52 buildings were constructed in 1962, five buildings were constructed in 1965, and 50 buildings in Peary Court were constructed in 1993.

Sigsbee Park Annex

Sigsbee Park Annex contains a total of 464 units in 198 buildings. One hundred seventy nine buildings were constructed in 1962, and 19 buildings were constructed in 1965.

Branch Medical Clinic Annex

Branch Medical Clinic Annex contains five units/houses in five buildings constructed circa 1928.

3.2 Adjacent Property

The land surrounding the subject property is occupied by NAS Key West, which is the southernmost Naval facility in the continental United States. NAS Key West began in 1917 as a coastal air patrol station. One year later, a training base for seaplane pilots and a blimp facility were established. During World War I, NAS Key West was commissioned as Headquarters, Seventh Naval District. When World War I ended, NAS Key West remained in caretaker status until 1939. In 1940, NAS Key West was reestablished with the following major additions: Satellite Meacham Field for lighter than air transport; Boca Chica Annex for land planes; Seaplane Base; and an operating and training base for fleet aircraft squadrons. In 1945, the satellite fields were combined and used for one aviation activity under the current designation, and maintained as a training and experimental site. In 1962, NAS Key West was heavily involved in the Cuban Missile Crisis, supporting reconnaissance and operational flights. Today, NAS Key West serves as a pilot training facility for transient tactical aviation squadrons, and conducts search and rescue.

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4.0 ENVIRONMENTAL SETTING

4.1 Location

NAS Key West is located in Monroe County, in the southern portion of the State of Florida. NAS Key West encompasses approximately 5,215 acres spread through several areas of the lower Florida Keys.

4.2 Physiography

The physiography in Florida is the result of erosion, deposition, and solution-related processes that have formed the land over time. Within Florida, there are 10 major physiographic subdivisions. NAS Key West is located in the Gold Coast-Florida Bay District, a uniformly low-lying district that includes the southern and southwestern drainage area from Lake Okeechobee (the Everglades), with coastal ridges, mangrove swamps, and the Florida Keys. Parental material is largely limestone rock with a sand, marl, and organic material covering. The ecosystems associated with the Gold Coast-Florida Bay District include marshes, dwarf cypress, prairies, rocklands, and mangroves (University of Florida, 2004). NAS Key West is predominately flat, with elevations ranging from sea level to approximately five feet above sea level (asl).

Drainage

Storm sewers drain approximately 50 percent of the Key West area. Drainage occurs via overland flow and gravity feed to storm sewer systems that route runoff to nearby tidal waters. Drainage at NAS Key West, including Boca Chica Annex, Trumbo Point Annex, Truman Annex, and Sigbee Park Annex, consists of 51 drainage areas. Within these 51 drainage areas, there are approximately 30 direct discharges, either through drainage pipes or concentrated ditch flows. There are 21 drainage areas that either sheet flow to low points with no apparent outfall, or sheet flow offsite with no concentrated outfall. The average rainfall at NAS Key West is 40 inches, with approximately half of the annual rainfall occurring between June and October. The NAS Key West area has periodically been subject to hurricane activity, most of which has approached from the south and east, with high winds and tidal flooding.

Surface Water

NAS Key West is located within the Florida Keys National Marine Sanctuary, and is designated as "special water: Outstanding Florida Water (OFW)," which contains approximately 9,500 square kilometers of water and submerged lands. Marine waters in close proximity to NAS Key West include Hawk Channel, Boca Chica Channel, Garrison Bight Channel, Man of War Harbor, Northwest Channel, Biscayne Bay, Florida Bay, and the Gulf of Mexico.

4.3 Geology

Geological Formations

The Florida Keys are part of the Florida Plateau, where Pleistocene limestone and limestone cap rocks are prevalent. All of the Lower Keys are composed of Miami oolite, which consists of soft, white to yellow, stratified to massive, cross-bedded, concretionary, or pure calcium carbonate

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that may contain shell fragments and minor quartz sand. Its major constituents are tiny oolids, which are spherical calcareous grains with concentric structure, cemented to form oolitic rock.

Key Largo Limestone underlies the Miami Oolite on all of the Lower Keys. Its major constituents are the cemented remains of ancient coral reefs and a subsidiary amount of fossils or coral, shell algae, and echinids (DoN, 2001).

Soil Types

Based on review of the 2001 Integrated Natural Resources Management Plan (INRMP), it appears that the soil in the Key West area belongs to the Rock Island or Urban Land Association. This soil has been created as a result of dredge and fill activities, or has accumulated as a result of the physical and chemical weathering of the parent oolitic limestone (DoN, 1993). The soil types consist of sand, shell, and limestone fragments mixed with small amounts of marine sediment. These unconsolidated soil types are very permeable and drain well (E & E 2000). The original soil types in the Key West area are mostly entisols, dominated by level, very poorly-drained organic soil underlain by limestone (DoN 1993).

Sigsbee Park Annex consists of urban land, Cudjoe marl, and tidal soil (which are described as poorly-drained soil with shallow to rippable coral or oolitic limestone bedrock). Trumbo Point Annex (including Fleming Key and Peary Court), Truman Annex, and the Branch Medical Clinic Annex consist solely of urban land (DoN, 2001).

Floodplains

The Federal Emergency Management Agency (FEMA) defines floodplains as areas subject to a one percent or greater change of flooding in any given year. Floodplains are low, relatively flat areas, adjoining inland and coastal waters. All of NAS Key West is within a floodplain and is susceptible to storm surge flooding. The 100-year storm and 500-year storm tidal surges are estimated to be eight feet and 12 feet asl, respectively. The potential for strong currents and wave action compounds the flood hazard. Approximately 86 percent of Key West Key is below five feet asl, and is subject to flooding, roughly every 15 years, from lesser storm surges.

4.4 Hydrogeology

Monroe County is located within the Florida Bay-Florida Keys Watershed, which encompasses approximately 2,000 square miles. Rainfall runoff from the city of Key West is carried to the tidal water by overland flow or storm drains that cover approximately 50 percent of the island; however, much of the rainfall percolates directly into the porous limestone.

There are areas of deep-water habitat in the vicinity of the Naval Training Area and Bombing Range. Tidal flats occur near sea level and are subject to daily tidal inundation. Portions of the Key West area are covered with mangrove swamps, which are either flooded with each tide, or, if cut off from tidal action, remain permanently wet. There are also some narrow strips of beach and adjacent coastal dunes in the Key West area (DoN, 2001).

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Water Supply

The two main aquifers that underlie the Florida Keys are the Biscayne Aquifer (commonly referred to as the Surficial Aquifer) and the Floridian Aquifer (a confined artesian aquifer). The Biscayne Aquifer is the primary system, and is considered one of the most productive and permeable in the world. However, because of its excessive chloride content in the Florida Keys, the Biscayne Aquifer is used as a non-potable water source. The freshwater lens averages five feet below the center western half of Key West, and contains 20 to 30 million gallons of freshwater, depending on the season. This freshwater is exposed to pollution from sewer lines in the sewer system to Hawk Channel. No known source of potable artesian water exists in Key West.

4.5 Topography

The topography at NAS Key West is flat, with elevation averaging four feet to six feet asl (See Figure 4-1). The airfield elevation (the highest point of the runway system) of the Boca Chica Annex is approximately six feet above asl. Large interior areas of the Boca Chica Annex range from sea level to two feet below sea level. The elevation of the Truman Annex ranges from five feet to 10 feet asl (DoN, 2001). Typically the Florida Keys are bordered by low intertidal flats, which gradually slope to deeper water (Ensaf, 2003).

4.6 Natural Resources

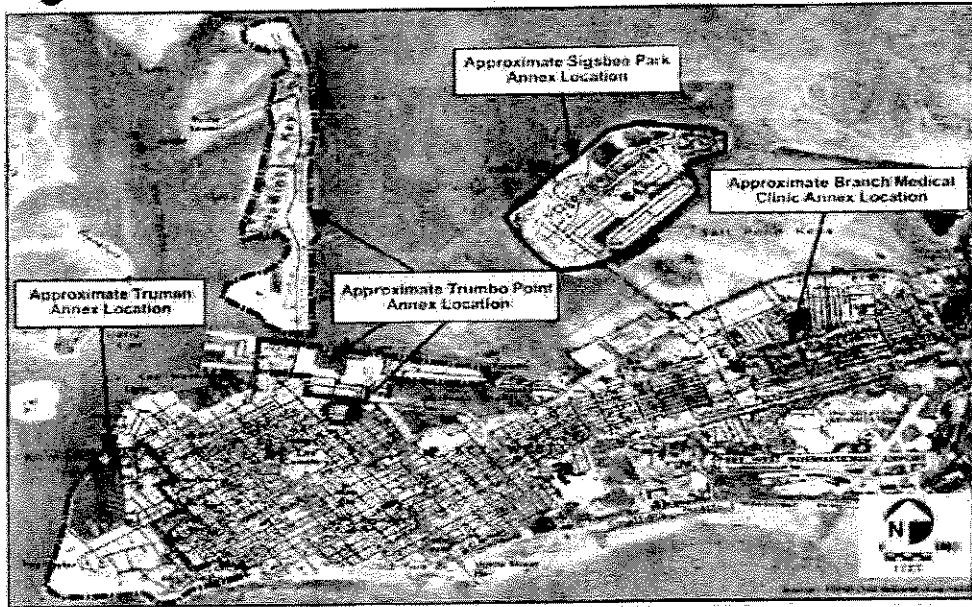
Wetlands

Wetlands are generally considered to be a transitional zone between a terrestrial and aquatic environment. These areas are characterized by physical, chemical, and biological features indicative of hydrological conditions. Currently, wetlands are regulated at the federal level by the United States Army Corps of Engineers (USACE), under Section 404 of the Clean Water Act of 1977.

It appears that jurisdictional wetland boundaries have not been delineated at NAS Key West, as specified in the USACE 1989 Wetland Delineation Manual. According to NAS Key West Department of Public Works (DPW) personnel, any land that is unpaved or not covered with structures is considered wetlands. Based on PRI's observations and review of the housing location maps, it appears that wetlands are located within the bounds of the subject property.

Endangered/Threatened Species

In 1992 and 1993, Florida Natural Areas Inventory (FNAI) conducted surveys to identify endangered, threatened, and rare plant and vertebrate species that occur at NAS Key West. These FNAI survey results were presented in the 2001 INRMP. According to the INRMP, there have been no rare, threatened, or endangered plant species identified within the bounds of the subject property. However, 25 rare, threatened, or endangered vertebrate species was reported at NAS Key West. Only seven of these 25 species are state- or federally-listed and are suspected to occur on the subject property. Table 4-1 presents the seven vertebrate species that may occur, or have the potential to occur, within the bounds of the subject property.



Site Topographic Map
NAS Key West
Key West, Florida

FIGURE
4-1

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TABLE 4-1
Threatened, Endangered, or Special Concern Vertebrate Species at NAS Key West

Common Name	Scientific Name	Federal Status	State Status
Bald Eagle	<i>Haliaeetus leucocapillus</i>	Threatened	Threatened
Osprey	<i>Pandion haliaetus</i>	Not Listed	Species of Special Concern
Least Tern	<i>Sterna antillarum</i>	Not Listed	Threatened
Roseate Tern	<i>Sterna dougallii</i>	Threatened	Threatened
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	Threatened	Threatened
Silver Rice Rat	<i>Oryzomys palustris</i>	Endangered	Endangered
Lower Keys Marsh Rabbit	<i>Sylvilagus palustris hefneri</i>	Endangered	Endangered

Based on the environmental records reviewed, endangered or threatened vertebrate species are considered a recognized environmental condition (REC) for the subject property.

4.7 Cultural Resources

According to the 2003 Integrated Cultural Resources Management Plan (ICRMP), there are reportedly 17 cultural resources (buildings, structures, objects) at NAS Key West that are considered eligible for the National Register of Historic Places (NRHP) listing. Of the 17 cultural resources, five are located within the bounds of the subject property at the Branch Medical Clinic Annex (Quarters L-A, L-B, L-C, L-D, and L-G).

Based on information in the environmental records and housing location maps reviewed, there appear to be five archeological resources that are considered RECs for the subject property.

4.8 Archeological Resources

Based on information gathered during review of the 2003 ICRMP, it appears that there are no archeological resources at NAS Key West. Therefore, archeological resources are not considered a REC for the subject property.

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5.0 ENVIRONMENTAL CONDITIONS

5.1 Federal / State Regulatory Agreements / Permits

According to DPW personnel, NAS Key West is current with required permits issued by local, state, and federal agencies. DPW personnel stated that no notices of violations have been issued by the regulatory agencies for the subject property or its immediate vicinities.

5.2 Hazardous Substances / Waste Management

Hazardous Substances

According to the 2003 Spill Prevention, Control and Countermeasure Plan (SPCC Plan), a variety of hazardous substances are used and stored at NAS Key West. However, no hazardous substance storage or usage areas were observed or reported at or adjacent to the subject property.

Hazardous Waste

According to the SPCC Plan and based on DPW personnel interviews, a variety of regulated, non-regulated, and conditionally-exempt hazardous wastes are generated and stored at NAS Key West. None of the hazardous waste collection areas are located within or adjacent to the subject property. Therefore, hazardous waste storage at NAS Key West does not appear to be an environmental concern for the subject property.

5.3 Petroleum Contamination

Documentation was reviewed on the existing aboveground storage tanks (ASTs), underground storage tanks (USTs), portable ASTs, mobile (truck) storage units, oil/water separators (OWSs), emergency generators, self-contained emergency generators (SCEGs), and underground piping at the Boca Chica Annex DPW. Based on that review, it appears that ASTs and USTs have been documented as the source of 11 leaking petroleum storage tank (LPST) sites. Except for one, none of the LPST sites are located within the bounds of the subject property. LPST site C-2076 is located adjacent to the southwestern area of Trumbo Point Annex. According to the DPW personnel, a formal closure letter was issued by the local environmental agency in the late 1990s requiring "no further action" for this site. Therefore, the LPST sites are not considered an environmental concern for the subject property at this time.

Underground Storage Tanks

According to the SPCC, three USTs, containing various grades of gasoline, are located at Citgo service station at the Sigsbee Park Annex. The USTs range in capacity from 5,000 to 10,000 gallons. According to the SPCC UST location map, and conversations with the DPW personnel, none of the USTs are located within or adjacent to the subject property. Therefore, the listed USTs are not considered to represent an environmental concern for the subject property.

Aboveground Storage Tanks

According to the SPCC, 36 aboveground storage tanks (ASTs), containing petroleum products, are located at Truman, Trumbo Point, Sigsbee Park, and Branch Medical Clinic annexes. At the time of PRI's site visit, the ASTs located within the subject property appeared to be well-

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maintained and secure, with no visible evidence of leaks or spills. Therefore, the ASTs are not considered to represent an environmental concern for the subject property at this time.

Mobile Storage Tanks

According to the 2003 SPCC Plan, there are several mobile fuel storage trucks and bowser tanks located at NAS Key West. The mobile trucks and bowser tanks are generally parked at the Boca Chica Annex, and are not considered to be within the bounds of the subject property. Therefore, these mobile storage units are not considered to pose an environmental concern for the subject property.

Oil/Water Separators

Based on a review of the 2003 SPCC Plan, it appears that there are seven OWS located at NAS Key West. No leaks or spills have been reported from the OWSs. Therefore, OWSs are not considered to pose an environmental concern for the subject property.

Self-Contained Emergency Generators

According to the 2003 SPCC Plan, there are 56 SCEGs, ranging in capacity between 25 and 2,000 gallons, located at NAS Key West. Twelve of the 56 SCEGs are located at Truman, Trumbo Point, Sigbee Park, and Branch Medical Annexes. Since no leaks or spills were reported from these SCEGs, they are not considered to pose an environmental concern for the subject property.

5.4 Environmental Restoration

According to environmental records reviewed, a total of 14 environmental restoration sites have been identified at NAS Key West. However, only two of these environmental restoration sites are located within the bounds of the subject property, as follows:

Installation Restoration (IR) 1: Truman Annex Refuse Disposal Area

The Truman Annex Refuse Disposal Area (IR 1) is located adjacent to the northwest corner of the subject property. IR 1 was used for general refuse, waste paint thinner, and waste solvent disposal and open burning from 1952 until the mid 1960s. In 1996, approximately 4,900 cubic yards of lead-contaminated soil were excavated from IR 1 and transported to a recycling facility. In 2001, IR 1 was placed on an annual monitoring schedule. Groundwater samples were analyzed for metals, and sediment samples were analyzed for metals, pesticides, polychlorinated biphenyl (PCBs), and polycyclic aromatic hydrocarbons (PAHs). Both groundwater and sediment samples reported several compound concentrations above the USEPA action levels from each of the analytical parameters. Continued land use controls and monitoring are the required action at this site.

IR 3: Truman Annex Former Dichloro-Diphenyl-Trichloroethane (DDT) Mixing Area

The Truman Annex former DDT Mixing Area (IR 3) is located adjacent to the northeast corner of the subject property. From the 1940s to the early 1970s, IR 3 was used as a DDT mixing area. Powdered DDT was mixed with water and temporarily stored in 55-gallon drums, both inside and outside the pesticide mixing building (former Building 265). Discharges at this site were

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reportedly from accidental spills. Initial surface soil sampling and analyses reports in 1986 indicated the presence of DDT and other pesticides at IR 3. Groundwater samples collected in 1990 also showed pesticide contamination at IR 3. In 1993, metals in concentrations above the regulatory action level were reported in soil at IR 3. The building at IR 3 was removed sometime in late 1990 and an asphalt cap was installed in 2001. IR 3 is currently used as a surface parking lot. Continuing land use controls and asphalt cap are the required action at this site. Groundwater is being monitored.

IR 21: Truman Annex Former Seminole Battery Site

The Truman Annex Former Seminole Battery Site is situated on the corner of historic Seminole Battery - Truman Annex and was determined to be contaminated with polynuclear aromatic hydrocarbons (benzo-(a)pyrene) as a result of former disposal practices. In 1999 an Interim Removal Action disposed of the majority of contaminated soil; however, some residual contamination was located under the foundation wall of the historical structure. Employing Engineering and Land Use Controls, there is a no digging restriction placed the Truman Annex Former Seminole Battery Site land use.

At this time, it appears that none of the three IR sites mentioned above have had a significant adverse impact on the environmental integrity of the subject property. This is primarily predicated upon the Site's Decision Documents, which identified Fate and Transport modes for residual contamination.

5.5 Solid / Biohazardous Waste

Solid waste accumulation at the subject property is limited to household items, such as paper and plastic generated in the individual units. An outside contractor removes and disposes of the subject property's solid waste. Several trash bins were observed throughout the subject property, and no evidence of illegal dumping of hazardous materials was observed during site visits.

Biohazardous waste is only generated and stored inside the multi-story medical building at Branch Medical Clinic Annex. However, the medical/dental facility is not located within or adjacent to the subject property. No biohazardous waste is generated within the subject property.

5.6 Polychlorinated Biphenyl Compliance

PCBs are potentially toxic substances that are commonly found in electrical transformers. The commercial use of PCBs has been banned in the United States since 1979.

According to NAS Key West DPW personnel and a review of the 1991 Final Quality Assurance Project Plan for PCB Testing, NAS Key West removed all electrical equipment (e.g. transformers and capacitors) known to contain regulated levels of PCBs, and is reported to be PCB-free at this time. Therefore, based on the available information, PCBs do not appear to be a REC for the subject property.

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5.7 Asbestos-Containing Material

According to an Asbestos Activity Summary (DoN, August 1997), selected units at the subject property were inspected for the presence of suspected asbestos-containing material (ACM). During the inspection, suspected ACMs were sampled and later analyzed. Asbestos was detected in the following materials:

Truman Annex

- Transit panels, soffits
- Gray backing, kitchen linoleum
- Floor tile and mastic, all rooms except kitchen
- Black mastic, living room, and bedroom no. 1

Trumbe Point Annex

- Floor tile, garage
- Gray backing on linoleum, bedroom no. 4
- Transite panels, under window
- Pipe insulation, garage
- Roofing tar, roof
- Built-up roof, roof
- Floor tile and mastic, all rooms
- Gray backing on linoleum, kitchen
- Transite pegboard, soffits

Sigabee Park Annex

- Gray transite panels, eaves
- Tan floor tile (second layer), throughout units
- Black sink undercoating, kitchen
- Gray backing on gray linoleum, kitchen
- Built-up roof, roofs
- Black mastic on beige floor tile, kitchen
- Gray backing on gray speckled linoleum, kitchen

Branch Medical Clinic Annex

- Floor tile (second layer), kitchen foyer, and bedroom no. 4.

The DoN report indicates that the above ACMs are categorized as Hazard Priority Level 5, ACMs representing a low potential hazard to occupants and workers due to being low or non-friable, and in good condition. The Asbestos Activity Summary report recommended implementation of an Operation and Maintenance (O&M) plan until these ACMs are properly abated. DFW personnel stated that some of the ACMs in single-story structures have been removed. An O&M plan is currently being enforced within the subject property.

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Based on the above information, ACMs appear to be present at the subject property. However, in their current condition, ACMs are a low environmental concern.

5.3 Lead Assessment:

Use of lead-based paint (LBP) in residential properties was banned in the United States in 1978.

According to DoN Lead Activity Summary (DoN, August 1997), selected units and playgrounds within the subject property were assessed for the presence of LBP, lead in dust, and lead in soil. The criteria for the lead assessment were based on the action levels set forth by the Department of Housing and Urban Development (HUD) and USEPA guidelines, as follows:

- **LBP:** 1.0 milligram per square centimeter utilizing X-ray fluorescence (XRF) analyzer or 0.5 percent by weight (or 5,000 parts per million (ppm)) using laboratory analysis
- **Lead in Dust:** 100 milligram per square foot (floors)
500 milligram per square foot (window sill)
800 milligram per square foot (window well)
- **Lead in Soil:** < 400 ppm, no action necessary
400 – 5000 ppm, interim controls
> 5000 ppm, abatement necessary.

During the assessment, samples were collected and analyzed for the presence of lead. According to the Lead Activity Summary, LBP was detected in concentrations above the HUD recommended action levels in the following interior and exterior building materials throughout the subject property:

- Interior and exterior doors
- Door moldings
- Interior and exterior door jams
- Storage door jams
- Utility door jams
- Garage doors
- Garage walls
- Garage windows
- Garage door moldings
- Carport columns
- Patio ceiling
- Baseboards
- Exterior fascia
- Soffits
- Closet shelves

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- Interior walls
- Window sills.

Additionally, 20 of the 201 XRF shot samples from the playgrounds of the subject property yielded positive results for LBP.

None of the dust samples collected and analyzed at Sigsbee Park Annex indicated concentrations exceeding the corresponding action levels. However, lead in dust above the action levels was detected at the remaining three annexes. No dust samples were collected from the playgrounds at the subject property.

None of the soil samples collected and analyzed at the Branch Medical Clinic Annex and playgrounds indicated concentrations exceeding the corresponding action levels. However, lead was detected in soil in the remaining three annexes.

According to NAS Key West DPW personnel, only LBP in the facia and soffits of the two-story structures at the subject property have been abated. Based on the review of the DoN report, and interviews with on-site personnel, it appears that lead in paint, dust, and soil is present within the subject property. During PRI's site visit, the painted exterior surfaces appeared in good condition, with no visible evidence of flaking, cracking, or peeling. It should be noted that as part of this EBS a lead survey is being scheduled for the subject property. Results of the lead survey will be presented under separate cover.

5.9 Pesticides and Herbicides

According to DPW personnel, there are no pesticide- or herbicide-related chemicals stored at NAS Key West. An outside contractor conducts pesticide and herbicide spraying as needed. Since there are no pesticides or herbicides stored or mixed at NAS Key West, it is unlikely that pesticides and herbicides are an environmental concern within the subject property.

5.10 Other Environmental Concerns

No other environmental concerns were identified within the subject property or immediately adjacent areas.

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6.0 ADJACENT PROPERTIES

Land immediately surrounding the subject property is within the boundaries of NAS Key West, including the following annexes: Truman, Trumbo, Sigsbee Park, and Branch Medical Clinic. Areas adjoining NAS Key West are primarily water bodies, residential and light commercial.

Truman Annex is adjacent to the Gulf of Mexico to the north and west, the Atlantic Ocean to the south, and residential and light commercial use areas to the east.

Trumbo Point Annex is surrounded by: the Gulf of Mexico and Fleming Key to the north; a United States Coast Guard Station to the west; Peary Court, other residential property, and the Atlantic Ocean to the south; and the Gulf of Mexico, residential, and light commercial use areas to the east.

Fleming Key is surrounded by the Gulf of Mexico, with a causeway to Trumbo Point Annex to the south.

Peary Court is located adjacent to residential and commercial uses to the west, south, and east; and Trumbo Point Annex to the north.

Sigsbee Park Annex is located on Dredgers Key, which is surrounded by the Gulf of Mexico to the north, east, and west; and South Palm Keys to the south.

The Branch Medical Clinic Annex is bounded by residential use areas to the south and west, Cow Key Channel to the east, and hotels and motels along Roosevelt Boulevard to the north.

The properties adjacent to NAS Key West do not appear to present an environmental concern for the subject property at this time.

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7.0 PROPERTY ASSESSMENT

The following RECs were identified during the EBS.

Wetlands

According to interviews with NAS Key West DPW personnel, no wetland delineation or survey has been conducted at NAS Key West. However, DPW personnel stated that any land that is unpaved or not covered with structures is considered wetlands. Based on PRI's observations and review of the housing location maps, it appears that wetlands are located within the bounds of the subject property.

Due to the close proximity of the wetlands to the subject property, housing-related maintenance or repair activities should be conducted as directed by the appropriate DPW personnel to reduce possible impact upon the wetlands.

Endangered/Threatened Species

According to the 2001 INRMP, there have been 25 rare, threatened, or endangered vertebrate species observed at NAS Key West. However, only seven of these 25 vertebrate species are state- or federally-listed endangered or threatened species, or species of special concern for the subject property.

If future housing-related activities within the subject property have the potential to impact the endangered, threatened, or species of special concern appropriate DPW personnel should be notified. Additionally, recommendations in the INRMP should be followed.

Cultural Resources

According to the 2003 ICRMP, there are 17 cultural resources at NAS Key West that are considered eligible for the NRHP listing. Of the 17 cultural resources, five are located within the bounds of the subject property at the Branch Medical Clinic Annex (Quarters L-A, L-B, L-C, L-D, and L-G).

Due to the cultural resources located within the bounds of the subject property, it is possible that future repair activities may impact the aforementioned cultural sites. PRI recommends that these activities be reviewed and monitored by the appropriate DPW personnel to determine their effect, if any, upon cultural resources.

Environmental Restoration

Based on environmental records reviewed, it appears that there are a total of 14 environmental restoration sites identified at NAS Key West. However, only two of these 14 sites are located adjacent to the subject property at Truman Annex. The following two IR sites are considered a potential environmental concern for the subject property:

- IR 1 - Truman Annex Refuse Disposal Area

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- IR 3 - Truman Annex Former Dichloro-Diphenyl-Trichloroethane (DDT) Mixing Area
- IR 21 - Truman Annex Former Seminole Battery Site.

At this time, it appears that these environmental restoration sites have not had a significant adverse impact upon the environmental integrity of the subject property, predicated on formal US Navy Risk Assessment Models (Fate & Transport). PRI recommends continuing necessary actions in order to achieve closure or "No Further Action" (NFA). Additionally, any housing-related activities that might disturb potentially contaminated soil should be conducted under the direction of the appropriate NAS Key West DPW personnel.

Asbestos-Containing Materials

According to the DoN 1997 Asbestos Activity Summary, a variety of building materials within the subject property contain asbestos. The DoN report indicates that ACMs are categorized as Hazard Priority Level 5, ACMs representing a low potential hazard to occupants and workers due to being low or non-friable, and in good condition. The DoN report recommended implementation of an O&M plan until these ACMs are properly abated. DPW personnel stated that some of the ACMs in single-story structures have been removed and an O&M plan is currently enforced within the subject property.

Based on the above information, it appears that ACMs are present within the subject property. However, under current conditions, ACMs present a low environmental concern. An O&M Plan is currently being enforced at the subject property. Caution should be taken when disturbing any confirmed or assumed ACMs, and an asbestos notification document should be included in this real estate transaction.

Lead-Based Paint

According to the 1997 DoN Lead Activity Summary, selected units and playgrounds within the subject property were assessed for the presence of LBP, lead in dust, and lead in soil. Based on the review of the DoN report, and interviews with on-site personnel, it appears that lead in paint, dust, and soil is present at the subject property. During PRI's site visit, the painted exterior surfaces appeared in good condition with no visible evidence of flaking, cracking, or peeling. It should be noted that as part of this EBS, a lead survey is being scheduled for the subject property. Results of the lead survey will be presented under a separate cover.

Based on the current general condition of the housing units, it is unlikely that LBP will be an environmental concern at the present time. However, the condition of the older units should be periodically surveyed for evidence of peeling, cracking, or flaking of possible LBP, and maintained accordingly. The identified lead in dust and soil should be removed and capped, respectively. Pending the results of the planned lead survey, these recommendations should be followed.

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Property Classification:

Based on analysis of the available data and RECs identified during this EBS, the subject property may be classified as Category 1 under the DoD Environmental Condition of Property System, which is defined below:

CATEGORY 1 - WHITE: Areas where no release or disposal of hazardous substances or petroleum products occurred (including no migration of these substances from adjacent properties).

Areas adjacent to IR 1, IR 3, and IR 21 may be classified as Category 5. Category 5 is defined as areas where release, disposal, and/or migration of hazardous substances have occurred, and removal and remedial actions are underway, but all required remedial actions have not taken place.

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8.0 CERTIFICATION

This report describes the pertinent information obtained during the EBS assessment. The findings presented in this EBSR are relative to the dates of this assessment and should not be relied upon to represent conditions at substantially later dates. Observations reflect site conditions as of the latest visit to particular areas of the subject property, and should not be construed as representing previous or future site conditions. Any opinions included herein are based on the information obtained during this EBS and experience with similar assessments. Although this assessment has attempted to identify the potential for environmental impacts upon the subject property resulting from possible contamination, sources may have escaped detection due to: 1) the limited scope of this assessment; 2) the inaccuracy of public records; 3) the presence of undetected or unreported environmental incidents; or, 4) other site- and area-specific factors. It has not been the purpose of this assessment to determine the actual presence, degree, or extent of contamination, if any, at the site.

I certify that the property conditions stated in this report are based on a review of available records, visual inspections, and interviews as noted, and are true and correct, with the above qualifications, to the best of my knowledge and belief.

4/17/06
Date


Alan Shultz
Environmental Engineer

RESOLUTION NO. 11-325

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, INVOKING THE ZONING IN PROGRESS DOCTRINE; DECLARING THAT THE CITY IS CONSIDERING AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN AND REVISIONS TO LAND DEVELOPMENT REGULATIONS IN RESPONSE TO THE PROPOSED SALE OF MILITARY PROPERTY TO A NON-GOVERNMENTAL ENTITY; ASSIGNING AN INTERIM ZONING DESIGNATION TO THE PROPERTY; CONTINUING THIS POLICY UNTIL AMENDED LAND DEVELOPMENT REGULATIONS ARE ADOPTED BY THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West was informed on or about April 6, 2011, that the United States Navy, with its concessional housing partner, Balfour Beatty Communities, would be pursuing the sale of the property known as Peary Court (RE #00006730-000000, Alternate Key #1006963) and all of the structures on it, to a private entity; and

WHEREAS, the Peary Court property is located within a Military (M) Future Land Use Designation and zoning district; and

WHEREAS, Policy 1-2.6.2 of the Comprehensive Plan does not specify regulatory land use controls for lands that fall under the Military Future Land Use designation; and

WHEREAS, should the ownership change from military to a civilian entity, the existing Military (M) land use designation and zoning are no longer consistent with the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, in order to plan for necessary and appropriate land use designation and zoning change, the City Planning Department has proposed, and the Planning Board recommends, invoking the Zoning in Progress Doctrine; and

WHEREAS, Zoning in Progress will allow the City to provide an interim zoning designation, effective upon sale from the military to a non-military entity, should such real estate transaction occur prior to the City's completion of a change to the Future Land Use Element and Land Development Regulations respective to the Peary Court property; and

WHEREAS, under the Zoning in Progress Doctrine, the Planned Redevelopment District (PRD) land use designation would be the most consistent interim designation based on the existing site characteristics; and

WHEREAS, under the Zoning in Progress, staff will consider the following land use designation changes with respect to the Future Land Use change and Land Development Regulation change: Planned Redevelopment District (PRD), Historic Planned Redevelopment

District (HPRD), Medium Density Residential (MDR), Historic Medium Density Residential (HMDR), or a hybrid of these designations, should that be the most consistent with the unique site characteristics; and

WHEREAS, under the Zoning in Progress, applications for variances, conditional uses, special exceptions, development plans, or any other type of application which may extend, expand, enlarge, or increase in intensity any aspect of the site may not be submitted to the City by the civilian owner of the property and units; and

WHEREAS, the City's intention to invoke the "Zoning in Progress" was initially advertised in the Key West Citizen on the 5 day of November, 2011; and

WHEREAS, the City Commission wishes to definitively place all parties on notice that it is considering amendments to Future Land Use and supporting land use regulations; and

WHEREAS, the Key West Planning Board passed its Resolution No. 2011-050, recommending that the City Commission invoke Zoning in Progress, and adopt an interim PRD zoning designation for the Peary Court parcel; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the above recitals are incorporated by reference as if fully set forth herein.

Section 2: That effective upon the sale of Peary Court (RE#00006730-000000, Alternate Key #1006963), where ownership should change from military to non-military, the property shall be subject to the Zoning in Progress Doctrine, and the land use designation shall change from Military (M) to an interim designation of Planned Redevelopment District (PRD), while City staff processes changes to the City's Comprehensive Plan and supporting Land Development Regulations.

Section 3: That this policy shall be in effect until the required Future Land Used Element Changes of the Comprehensive Plan and supporting Land Development Regulations are adopted and in effect and the City shall take all necessary steps to legally institute this resolution.

Section 4: That until expiration or repeal of this resolution, no applications for variances, conditional uses, special exceptions, development plans, or any other type of application which may alter, extend, expand, enlarge, or increase in intensity any aspect of the site maybe submitted to the City from the civilian owner of the property and units.

Section 5: That City staff is directed to continue the preparation and processing of the required changes to the

Comprehensive Plan and Land Development Regulations, with respect to the subject property.

Section 6: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 15 day of November, 2011.

Authenticated by the presiding officer and Clerk of the Commission on November 15, 2011.

Filed with the Clerk November 16, 2011.


CRAIG CATES, MAYOR

ATTEST


CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

To: City of Key West Planning Board

From: Donald Leland Craig, AICP, Planning Director

Date: July 15, 2011

Reference: Peary Court Rezoning Process

This memo is written to provide tentative outline of the Future Land Use Map Designation (FLUM) and Land Development Regulation Amendment process for Peary Court. As you are aware, the City was notified on April 6, 2011 by Naval Air Station Key West officials that the Peary Court property was being put up for sale. According to the Disposition Schedule provided by the Navy, the marketing of the property was scheduled to commence on June 1, 2011 and closing on the sale to occur by the end of 2011. The current FLUM designation provides that the property falls within a "Military" (M) zoning designation. As such, with new ownership, the zoning controls on the property under the current designation would no longer be appropriate. The following provides a preliminary overview of initial Planning questions, additional documentation required, potential issues that may need further coordination and review, as well as a cursory timeline of the anticipated process.

Initial Questions:

- Is the Navy subject to application submittal and associated fees?
- Can the City process a Comprehensive Plan and Land Development Regulation amendment simultaneously, on a parallel track?
- Does excessing the property mean that the existing development is vested and exempt from a retroactive development plan process, inclusive of the assignment of BPAS allocations?

Additional Documentation Required To Commence Future Land Use Amendment and Land Development Regulation Amendment Process (To Date):

- Signed and Sealed Survey
- Site visit to determine number and types of nonconformities
- Verification of whether existing units are built in accordance with the Florida Building Code
- Flood elevation certificates for all units
- Statistics outlining stratification of tenant type (military/civilian/family sizes/rental range information)
- Documentation outlining the relationship between Southeast Housing, LLC and Naval Air Station Key West (owner/applicant, etc.)

Potential Studies that May be Necessary

- Understanding the impact of the units on the Hurricane Evacuation Modeling, as it affects the City of Key West (how were these units taken into account in the models)
- How the absorption of the Peary Court units will impact the City's Building Permit Allocation System (BPAS)
- If, and how, the existing units provide functionally affordable housing within the City, and how their potential loss for that purpose may affect the City
- Concurrency: impacts on existing level of service standards, impacts on emergency management, and fiscal impacts to the City
- The fiscal impact of bringing these units into the City of Key West
- How nonconformities on the site will be brought into compliance or dealt with in the future

Tentative Timeline for Coordinated Agency Review Process:

- If the Future Land Use Amendment and Land Development Regulation Amendment can be brought through a concurrent process:
 - August 2011: First possible consideration by the Development Review Committee
 - October 2011: Planning Board consideration
 - November 2011: First City Commission meeting and consideration
 - Forward Plan Amendment to State Land Planning Agency, and other Review Agencies- 30 days for reviewing agencies to comment
 - January 2012: Objections, Recommendations, Comments (ORC) report submitted by State Land Planning Agency
 - February 2012: Second City Commission meeting adopting plan amendment with effective date. If Land Development Regulation Amendment is approved, amendment would not go into effect until the State Land Planning Agency finds the Future Land Use Amendment compliant
 - Within 10 days of adoption: Forward copy of adopted Comprehensive Plan Amendment to State Land Planning Agency, as well as any other governmental agency who provided timely comments
 - Within 45 days of receipt of complete adopted plan amendment: State Land Planning Agency may issue Notice of Intent to City, determining compliance
 - 21-day appeal period after State Land Planning Agency issues Notice of Intent
 - May of June 2012: Potential completion date
- If Land Development Regulation Amendment must be brought subsequent to Future Land Use Amendment approval from State Land Planning Agency:
 - June 2012: Planning Board consideration of Land Development Regulation amendment
 - July 2012: First City Commission meeting regarding consideration of amendment
 - July 2012: Second City Commission meeting regarding consideration of amendment

Peary Court Rezoning Process

Page 3 of 3

- July 2012: Render amendment to State Land Planning Agency for 60 day review
- September 2012: State Land Planning Agency issues Final Order
- October 2012: End of 21-day Appeal Period for Order after publication in Florida Administrative Weekly, and potential completion date

Attachments:

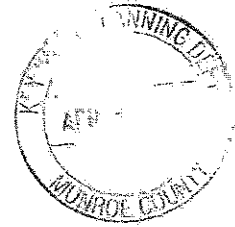
Attachment 1: Southeast Housing, LLC Naval Air Station Key West Peary Court-
Disposition Schedule

Attachment 2: Coordinated Agency Review Process

CC: Jim Scholl, City Manager
Shawn Smith, City Attorney

Attachment 1

**Southeast Housing, LLC
Naval Air Station Key West
Peary Court – Disposition Schedule**

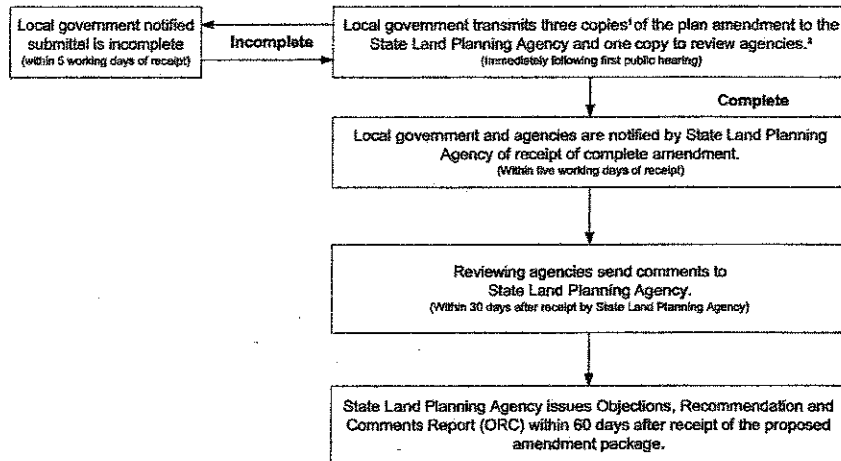


ITEM	Estimated Date	Actual Date	COMMENTS
A. Pre-Closing			
1. Navy approval of Disposition Plan			Received Concurrence Memo
1a. Navy approve RE Services Agreement			Received Concurrence Memo
2. Completion of Navy FOST (fee simple)			
3. Notify Local Officials	4/6/11		
4. Marketing Materials to Navy	5/13/11		
5. Navy Approve Marketing Materials	5/20/11		
6. Market Property - Start	6/1/11		
7. Market Property - Complete	7/13/11		Offers due
8. Present offers received to Navy with recommendation	7/27/11		Best and final offers
9. Navy approve/select Offeror and develops/approves Form of Deed	8/4/11		
10. Negotiate Purchase Agreement complete	8/17/11		
11. Navy Approve Purchase Agreement/Execute Joinder	8/31/11		
12. Execute Purchase Agreement	8/31/11		
13. Due Diligence - Complete	10/14/11		Assumes 45 day due diligence in Purchase Agreement
14. Closing	11/15/11		Assumes 30 day in Purchase Agreement and no subdivision/re-zone or tax lot creation

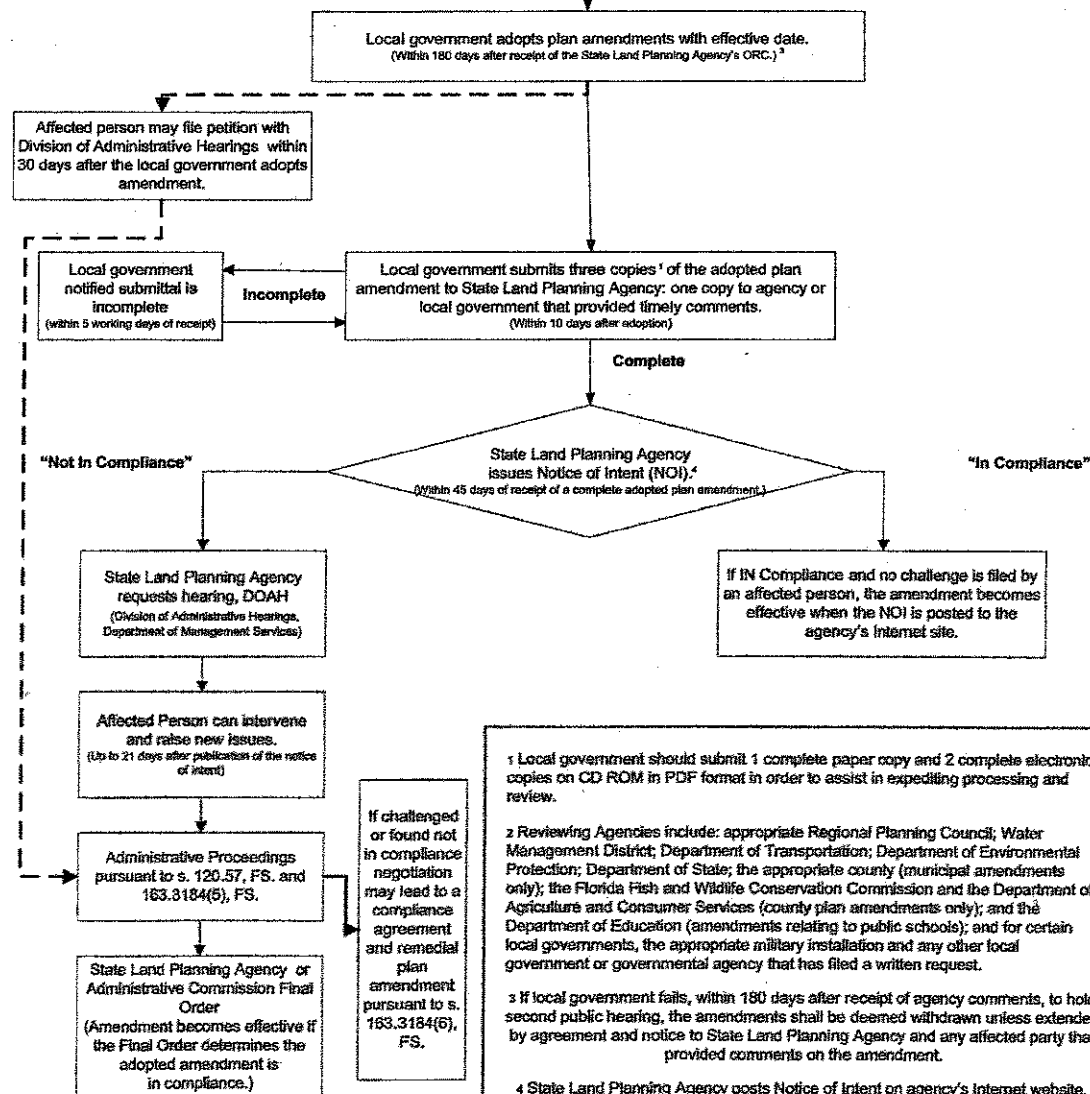
Attachment 2

State Coordinated Review Amendment Process Section 163.3184(4) and (5), Florida Statutes

Proposed Phase



Adopted Phase



¹ Local government should submit 1 complete paper copy and 2 complete electronic copies on CD ROM in PDF format in order to assist in expediting processing and review.

² Reviewing Agencies include: appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

³ If local government fails, within 180 days after receipt of agency comments, to hold second public hearing, the amendments shall be deemed withdrawn unless extended by agreement and notice to State Land Planning Agency and any affected party that provided comments on the amendment.

⁴ State Land Planning Agency posts Notice of Intent on agency's Internet website.

Draft-
2012 Updates to the data and analysis for
EAR-Based Comprehensive Plan
Amendments

City of Key West 2012 Updates to the data and analysis for EAR- Based Comprehensive Plan Amendments

Introduction

The City completed its first Evaluation and Appraisal Report (EAR) in 2005, and due to the State mandated schedule was required to update the 2005 EAR the following year. There is very little difference between the two reports or the resulting recommendations. It is now the City's desire to implement the recommendations from the two EAR documents, however due to the years that have passed, the supporting data and analysis needs to be updated in order to be meaningful and to provide the most accurate amendments to the Comprehensive Plan.

The Planning Department identified several areas that needed updating, and these are as follows:

- **Affordable Housing Needs Analysis**
- **Population Estimates**
- **Hurricane Evacuation Analysis**
- **Land Use Analysis**
- **Level of Service Analysis**

The following provides some background from the 2005 and 2007 EARs and the updated analysis in the areas identified above.

Chapter 1. Affordable Housing Needs Analysis

The 2005 EAR listed “Affordable Housing” as one of the issues to be addressed during the updates to the Comprehensive Plan. Some of the contributing factors to the need for affordable housing included lower wage tourism based jobs; loss of military families that lived in housing subsidized by the government; increased demand for second homes; government limitations on growth; the loss of housing due to conversion to guesthouses; and the lack of available vacant land. In the 1990s the construction of transient units was permitted pursuant to the City’s Building Permit Allocation System (BPAS), and as a result, approximately 874 transient units were built. However, due to Comprehensive Plan policy 1.3.12.3, which limits the percent of new units that may be allocated for transient use, no new transient allocations can be granted under the City’s existing BPAS.

Policy 3-1.1.3 of the City’s Comprehensive Plan requires that 30 percent of units constructed each year be affordable. At the time of the 2005 EAR, it was noted that this policy has been successful, however at that time there was still a recognized shortage of affordable units. In 2005, the City adopted a workforce housing ordinance which requires that 30 percent of new market rate housing units be affordable to members of the workforce who earn at or less than 80 percent of the median household income. The affordability of units permitted under these policies is maintained through deed restrictions. It is estimated that 504 units have been allocated affordably since the implementation of the BPAS; however, not all of these units were subject to the requirements in the 2005 workforce housing ordinance. The current policy is that the affordability period for these units remains in place for perpetuity; however some of the earlier units have affordability periods that have or will expire. It is estimated that approximately 233 affordable deed restrictions have expired. However, it is important to note that not all of these allocations have been allocated as part of the BPAS.

In addition to requiring private developers to provide a percentage of affordable units, the City has historically taken a proactive approach in providing affordable units. The City has worked within the limits of the BPAS policies and, while being mindful of evacuation planning, has signed agreements with the State and with private developers to allow more affordable units. On the legislative side, the City has implemented policies to allow accessory apartments to single family homes, to facilitate infill of affordable units, and to facilitate apartments above commercial developments.

The 2005 EAR identifies methods in which the City has sought community involvement to address the affordable housing issue. On March 30, 2001 the City held a special summit meeting of residents to gain insight on ways to address housing. From that meeting, there were approximately 40 suggested actions that would address the problem from many different angles. Many creative suggestions were made, including

ideas on how to preserve the housing stock, ways to seek out additional funding sources and suggestions to build new units or subsidize rents. In 2009, Florida International University's Metropolitan Center conducted a Housing Needs Assessment for Monroe County that included information specific to the City of Key West. In order to provide an updated housing needs assessment, the information contained in the 2005 EAR and 2009 Housing Needs Assessment was updated using the most recently available information from the 2010 Census, the University of Florida's Shimberg Center for Affordable Housing, and other relevant data sources.

The provision of decent, safe, sanitary and affordable housing to all residents continues to be one of the most daunting challenges that the City of Key West faces. The City's scarcity of land for new development, growth in the second home market, high quality of life and desirability, and unique and historic housing stock all contribute to property and housing values that are among the highest in the State. The City's economy is largely based on tourism and service industries, which generally pay lower wages than many other industries. These dynamics result in a pronounced affordability gap that continues to challenge the City even in the current economic downturn.

A summary of the estimates of the City's existing housing stock is provided on Table 1-1 below. As can be seen, there is a small discrepancy between the figures from the Affordable Housing Needs Assessment (AHNA), the Census, and a May 2010 estimate prepared by City staff. For the purpose of this report, the 2010 Census figure will be used since it is the most recent, and because it is closer to the City estimate than the AHNA or the U.S. Census 2009 American FactFinder data. Use of the City's estimate is constrained by the lack of information about occupancy or tenure.

Table 1-1. City of Key West's 2010 Housing Stock by Type and Tenure

	Total Units	Occupied	Owner Units	Renter Units
09 AHNA	13,307	11,017	5,024	5,993
2010 Census	14,107	10,929	4,520	6,409
2009 US Census Bureau American FactFinder	13,274	8,925	4,175	4,757
May 2010 estimate	14,452 permanent plus 440 mobile homes			

The median single family home sales price in the City of Key West in 2010 was \$382,450. This value is higher than the 2001 median value of \$305,000, but significantly lower than the median value of \$776,000 in 2005. The median condominium sales price in 2010 was \$318,000, higher than the 2001 sales price of \$222,000 but lower than the peak of \$575,000 in 2005. The decrease in sales prices between 2005 and 2010 is reflective of the economic downturn. The 2010 median gross rent for a rental unit in the City is \$1,359.¹

“Housing cost burden”, defined as the percent of a household’s income that is used to pay for housing costs, is frequently used as a measure for determining whether or not housing is affordable. According to federal housing program guidelines and the Shimberg Center, housing costs should not exceed 30 percent of a household’s income in order to be considered affordable. Federal guidelines define an extremely low income household as a household whose income is at or below 30 percent of the median household income for the area, a very low income household as a household whose income is at or below 50 percent of the median household income for the area, a low income household as a household whose income is between 50 and 80 percent of the median for the area, and a moderate income household as a household whose income is between 80 and 120 percent of the median for the area.

The median household income in the City in 2010 was \$52,004², while the average annual wages earned by a worker in the City are approximately \$37,844³. In order to be affordable, an owner-occupied home should not cost more than three times a household’s annual income. In order to be affordable to a household at the median level, a home should therefore cost no more than \$156,012. In order to be affordable to the average wage-earner in the City, a home should cost no more than \$113,532. (Note that this does not account for combined household incomes.) In order to be affordable to a household earning at or less than 80% of the median for the area, a home should cost no more than \$124,891. The 2010 median sales price of \$382,450 for a single family home indicates an affordability gap of \$226,438 for households earning at or below the median household income, while the median sales price of \$318,000 for a condominium unit indicates a lower but still significant affordability gap of \$161,988.

¹ University of Florida Shimberg Center for Affordable Housing, Housing Needs Summary, Florida Housing Data Clearinghouse, 2011

² 2005-2009 American Community Survey, US Census Bureau

³ Quarterly Census of Employment and Wages, Quarter 2 Year 2011, Florida Department of Economic Opportunity Labor Market Statistics Center

The 2010 median gross monthly rent in the City was \$1,359. In order to be affordable to a household at the median income level, monthly rent should be no more than \$1,300.10. In order to be affordable to the average wage-earner in the City, monthly rent should be no more than \$946. In order to be affordable to a household earning at or below 80% of the median, monthly rent should be less than \$1,040. Approximately 50% of the City's rental units are affordable to residents at the median income level, while approximately 37% are affordable to average wage-earners and households at 80% of the median.⁴

Table 1-2 below identifies and projects the number of households in the City by income level for the period between 2000 and 2030.⁵ The projections contained in this Table, provided by the Shimberg Center, are not consistent with the noted trend toward a slight population decrease in the City. Generally, however, they do provide a proximate count of households by income type for 2010. This Table indicates that 12 percent of the City's housing stock should be affordable to households earning less than 30 percent of the median, 11 percent should be affordable to households earning between 30 and 50 percent of the median, 18% should be affordable to households earning between 50 and 80 percent of the median, 24% should be affordable to households earning between 80 and 120 percent of the median, and 34 % should be affordable to households earning over 120 percent of the median.

Table 1-2. Projected Households by Income 2000 - 2030

	2000	2010	2015	2020	2025	2030
0-30%	1,295	1,295 (12%)	1,378	1,469	1,543	1,605
30 – 50%	1,200	1,203 (11%)	1,297	1,399	1,487	1,559
50 - 80%	1,995	1,857 (18%)	1,873	1,892	1,906	1,913
80 – 120%	2,724	2,518 (24%)	2,516	2,515	2,507	2,497
120%+	3,744	3,620 (34%)	3,665	3,715	3,735	3,750
Total	10,958	10,493	10,729	10,990	11,178	11,324

Table 1-3 below documents the number of cost burdened households in the City by tenure for 2010.⁶ As can be seen, 35 percent of homeowner households and 42

⁴ 2005-2009 American Community Survey, US Census Bureau

⁵ University of Florida Shimberg Center for Affordable Housing, Housing Needs Summary, Florida Housing Data Clearinghouse, 2011

⁶ University of Florida Shimberg Center for Affordable Housing, Housing Needs Summary, Florida Housing Data Clearinghouse, 2011

percent of renter households in the City are paying more than 30 percent of their income for housing. Table 1-4 documents cost burdened households by income type. As expected, the level and severity of cost burden increases as income levels decrease.

Table 1-3. Cost Burdened Households by Tenure, 2009

% of income paid for housing	0-30%	30-50%	%50 plus	
Owners	3,325 (65%)	909 (18%)	844 (17%)	5,078
Renters	3,065 (58%)	1,159 (22%)	1,050 (20%)	5,274

Table 1-4. Cost Burdened Households by Income Group, 2009

% of income paid for housing	0-30%	30-50%	%50 plus	
0-30% median income	357 (28%)	160 (13%)	754 (59%)	1,271
30 – 50% median income	357 (30%)	355 (30%)	464 (39%)	1,176
50 – 80% median income	855 (46%)	611 (33%)	373 (20%)	1,839
80% + median income	4,821 (79%)	942 (15%)	303 (4%)	6,066

Table 1-5 below indicates the deficit or surplus of affordable housing units by income category in the City for 2010.⁷ This information provides perhaps the best indication of unmet affordable housing need. As can be seen, there is a deficit of housing units affordable for all income types, with the exception of rental units for households at 120 percent of the median.

Table 1-5. Affordable Housing Deficit/Surplus by Income Group, 2009

	30% of median	50% of median	80% of median	120% of median	200% of median
Owners	-500	-851	-1,571	-2,225	-2,101

⁷ University of Florida Shimberg Center for Affordable Housing, Affordable Housing Needs Assessment, 2011

Renters	-349	-796	-214	+270	-288
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The City of Key West has taken a proactive approach to addressing the affordable housing needs of its residents. There are currently a total of 508 federally, State and locally assisted units and 581 public housing units in the City. In order to encourage the provision of private sector affordable and workforce housing, single family units are allowed and encouraged to have accessory units that provide a more affordable housing option for the City's workforce and residents. In 2005 the City adopted a workforce housing ordinance which requires that 30 percent of new market rate housing units be affordable to members of the workforce who earn at or less than 80 percent of the median. In addition, Peary Court, a military housing complex, is transitioning from military ownership to civilian ownership, providing an additional 157 market rate housing units. Application of the workforce housing requirement would provide an additional 47 affordable or workforce housing units.

Gauging the need for special needs housing and homeless assistance is another important consideration for the City. There are currently approximately 136 beds for special needs housing, 122 beds for transitional housing, and 175 homeless shelter beds in the City. Based on a count conducted in 2011, 246 homeless persons were identified in the City. A partial listing of special needs and transitional housing facilities is provided below:

1. AIDS Help – 96 Units
2. Kathy's Hope – 16 rooms with communal facilities
3. Samuels House – 13 rooms with communal facilities.
4. Casa de Meredith – 9 units
5. Florida Keys Outreach Coalition - One s.f house (2 bedroom)
6. Neece Center – 20 beds.for men
7. Poinciana- 102 beds for men and women.

Chapter 2. Population Estimates

Population projections are an important component of local comprehensive plans. They provide the statistical framework for future development and redevelopment, and for projecting the ability to provide key infrastructure and services at adopted levels of service. The population of Key West, a built-out community with natural and policy constraints that limit future development potential, is projected to decrease slightly during the short, mid and long range planning periods, as documented in the following analysis.

It is important to note that the projections are not predictions of the future. Projections are simply an extrapolation of past trends coupled with knowledge of the residential capacity of the area. They assume that past trends provide some indication of the likely range of futures for the community. They assume that there will be no major disasters, such as hurricanes, floods, or prolonged droughts. They assume that government and other agencies will continue to maintain and expand urban infrastructure and services as needed. The planning process calls for ongoing monitoring of urban change and the projections may be amended as future conditions warrant.

In the 2005 EAR, the discussion on the population of Key West gives a detailed breakdown of the different types of population due to the unique character of the city. The discussion begins with this sentence "Stating the population of Key West is not an easy task and it is very important to know how the number will be used". This is still true today. The 2005 report breaks down the population into five components:

1. Permanent resident
2. Seasonal resident
3. Tourist/event overnight
4. Day tourist
5. Commuter from other Keys

These different population groups all have different reasons for being on the island, and are there during different times of the year. For this reason, the population fluctuates greatly. In 2005, it was estimated that the population would range between 32,000 and 58,000 on any given day.

The potential for the population to increase is limited by the Rate of Growth Ordinance (ROGO) policies. This number is limited based on the ability to evacuate the Florida Keys in the event of a hurricane. In 2005, there were approximately 300 new units in the ROGO "bank". Some of the units could be built as small apartments of 600 square feet or less and would be counted as .55% of a unit. In 2005 it was expected that the

majority of the new units would be occupied by seasonal residents. Day populations were also expected to increase due to the potential for more commuters and cruise ship passengers.

In the 2007 EAR, the US Census data was updated, and it was found that the permanent population of the island had decreased by 6 percent to 23,935. It was noted that the decrease was most likely due to the economy, the lack of affordable housing and to the effects of Hurricane Wilma

Information from the Florida Office of Demographic and Economic Research, the 2010 Census, and local conditions provides a basis for updating the City's current and projected population. In 2012, the Florida Legislature adopted HB 7081, which specifies that "absent physical limitations on population growth, population projections for each municipality, and the unincorporated area with a county, must, at a minimum be reflective of each area's proportional share of the total county population and the total county population growth". Key West clearly has physical limitations on population growth, but these limitations are shared with the rest of the County. For this reason, the proportional share methodology is an acceptable methodology for projecting population change in Key West. The Florida Office of Demographic and Economic Research's published population projections for Monroe County are detailed in Table 2-1 below. In 2010, 33.7 percent of Monroe County's population resided in Key West, a proportionate share expected to remain stable through the planning period.

**Table 2-1. Population Projections
City of Key West, Florida 2010**

	2000	2010	2015	2020	2025	2030
Key West	25,478	24,649	24,348	23,997	23,660	23,350
Monroe County	79,589	73,090	72,248	71,210	70,209	69,289

The City's 2010 population is therefore estimated to be 24,649, and is projected to decrease slightly during the five, ten, 15 and 20 year planning periods. Another indicator of potential population growth is future development potential. Since 1993 the City has regulated growth in accordance with adopted Rate of Growth policies and limitations on the number of new building permits that can be approved. The purpose of these policies is to reduce the City's hurricane evacuation clearance times from 35 hours in 1990 to 24 hours in 2010.

There are currently 100 units available to be permitted under the City's Building Permit Allocation System (BPAS)¹⁰. The remaining unallocated units in this system are

¹⁰ City of Key West Building Permit Allocation System Annual Report, 2010/2011

reserved for potential beneficial use claims based on an assessment of potentially developable vacant lots in the City. The average household size in the City, as per the 2010 Census, is 2.15. It is therefore estimated that maximum build-out could increase the City's permanent population by 215 people.

The permanent residential population is important for calculating the need for such services as parks and schools. The City of Key West is a popular and world-renowned tourist destination, however, and seasonal and short term visitors also impact the need for certain services, as well as emergency management and evacuation planning. The 2010 Census identifies 1,935 seasonal units that are occupied by "part-time" residents, often for protracted periods of time. It is estimated that these units can accommodate approximately 4,160 "seasonal" residents. It should also be noted that these units could transition to permanent units during the planning period, with a concomitant impact on the permanent population.

Short-term transient units, including motel/hotel rooms, guesthouses, bed and breakfasts, and short-term residential units, also impact the number of people in Key West at any time. There are 6,066 transient units in the City, broken down as follows: 3,943 hotel/motel rooms; 1,226 rooms in guesthouses or bed and breakfasts; and 897 short-term residential units. In 2010, City staff conducted a transient survey in order to find out more about this group. This survey indicates that the average travel party size associated with a motel/hotel room is 2.4, while a guesthouse/bed & breakfast is 2.15, and a short-term residential unit is 3.66. It is therefore estimated that full occupancy of these units could increase the City's temporary population by approximately 15,382. On an average day, the Monroe County Tourism Development Council estimates that there are 14,241 overnight visitors on Key West, with a highest daily average of 16,881.

In addition to overnight visitors, Key West is also a popular destination for "day-trippers", visitors who travel to Key West by cruise ship, ferry or automobile but who spend the night elsewhere. A substantial number of these guests (approximately 68%) arrive via cruise ships. The Monroe County Tourism Development Council reports that there were approximately 1,029,026 "day trip" visitors in 2008. There is a maximum potential of approximately 6,000 cruise ship passengers at a single time, with a daily average of approximately 2,399 and a highest daily average of 3,123. It is estimated that an average of 2,734 day trip visitors are in Key West at any time, with a highest daily average of 3,123.

Key West's population also includes residents who live on boats anchored in City waters. In 2009 the City reported that there were 1,066 transient boat dockage agreements in the City. City staff estimates that there are currently 105 live-aboards in City waters at Garrison Bight and Key West Bight. As with accessory units or small apartments, it is assumed that the average size of households residing in live-aboards

will be smaller than the City's average household size of 2.15. For the purposes of this analysis, the average household size for live-aboards is assumed to be 1.5. It is therefore the permanent maritime population is approximately 158 people.

The temporary population of Key West is also impacted by commuters who work in Key West but reside elsewhere in Monroe County. It is estimated that between 3,836 and 3,977 Monroe County residents commute to work in the City. Estimates are based on traffic counts, employment numbers, and license studies conducted by City staff. A number of Monroe County residents also travel to Key West to shop. As noted in the EAR, a rough estimate of the number of shoppers at any given time can be approximated by doubling the number of commuters. It is therefore estimated that there are approximately 7,994 commuters and shoppers in Key West at any given day.

The total number of people on Key West on an average day (functional population), including permanent residents, seasonal residents, the maritime population, overnight tourists, day-trippers, cruise ship visitors, commuters, and shoppers, is estimated to be 53,936. This number would likely spike significantly during special events such as Fantasy Fest or New Year's Eve.

In contrast to the declining permanent population, Monroe County estimates that its seasonal population will increase during the planning period (see Table 2.2. below). In accordance with the preceding analysis, the City estimates that its 2010 seasonal and temporary population (seasonal, marine live-aboards, overnight visitors and day visitors) population was 21,294. Key West's proportionate share of the County's seasonal population is therefore estimated to be 27 percent. If the proportionate share methodology is calculated through the planning period, Key West's seasonal and temporary population will increase to 23,451 by 2030.

Table 2.2. Seasonal and Temporary Population Projections in Monroe County, 2010 - 2030¹¹

	2010	2015	2020	2025	2030
Key West	21,293	21,546	22,181	22,816	23,451
Monroe County	78,401	79,800	82,151	84,503	86,855

The functional population of Key West, as opposed to the permanent population, is anticipated to increase slightly during the planning period due to the projected increase

¹¹ Monroe County 2010 – 2030 Population Projections, March 15, 2011, Keith & Schnars PA. Fishkind & Associates

in seasonal residents and visitors (the number of commuters is assumed to remain static). Key West's projections for its functional population increase during the planning period are outlined on Table 2.3 below. As can be seen the City anticipates only a 1.5 percent functional population increase during the planning period.

Table 2.3. Functional Population Projections in Key West, 2010 - 2030¹²

	2010	2015	2020	2025	2030
Key West	53,936	53,888	54,172	54,470	54,795

¹² Monroe County 2010 – 2030 Population Projections, March 15, 2011, Keith & Schnars PA. Fishkind & Associates

Chapter 3. Hurricane Evacuation Analysis

Hurricane evacuation planning is one of the most important aspects of comprehensive planning in the Florida Keys. This is particularly true for Key West, as its population has the longest distance to travel to reach the mainland. As such, it is a complicated, ever evolving process and it was included in the 2005 EAR as an issue of importance to the residents. Not only does hurricane evacuation planning touch on many aspects of community development, it is a regional issue and involves significant intergovernmental coordination. A natural disaster evacuation plan is one of the planning and administration elements requiring regulation in the City's Principles for Guiding Development, Rule 28-36.003(2)(a)7, Florida Administrative Code.

In the 2005 EAR it was noted that five of the elements of the Comprehensive Plan have policies related to hurricane safety. Many of these policies advocate regional coordination of evacuations and setting limits on growth.

In 2005 it was suggested that the Comprehensive Plan policies continue to further these ideologies, while providing some very specific measures that could be taken to prepare for and recover from hurricanes. Additionally, the report recommended that the Comprehensive Plan should be modified to address the issue that evacuation out of the Keys without a clear safe refuge on the mainland continues to place citizens at risk. The City should consider more options for providing refuge closer to home, rather than using all planning efforts on evacuation scenario modeling.

The 2006 South Florida Regional Hurricane Evacuation Traffic Study, prepared by the South Florida Regional Planning Council, provided a summary and analysis of evacuation of Key West and Monroe County population via U.S. 1 and Card Sound Road. This analysis included an estimate of the clearance times required to evacuate the County using these two roadways. The study identified evacuation zones, critical roadway segments, and clearance times based on development patterns, functional population, and behavioral analysis.

Based on a Category 4-5 hurricane, the analysis indicated that an early, phased evacuation of tourist and mobile home residents would result in evacuation clearance times for the Monroe County population of less than 24-hours. It was assumed in the analysis that the evacuation of tourists would begin approximately 48 hours in advance, followed by a 36-hour advance evacuation of mobile home residents, and a 30-hour advance evacuation of permanent residents.

With updated data available from coastal flooding models, the 2010 U.S. Census, updated traffic modeling and current City building permit/certificate of occupancy information, the Regional Planning Councils have begun to revise the 2006 Statewide

Regional Evacuation Model to depict evacuation clearance times for the population of the Keys.

Monroe County Hurricane Evacuation Clearance Time Working Group meetings were held in January, February, April and June of 2012. The intent of the Working Group was a regional agreement for the next ten years of Countywide Building Permit Allocations (BPAS). A Memorandum of Understanding will outline the new BPAS System based on hurricane evacuation clearance times that are modeled on jointly agreed upon assumptions and variables. The Working Group consists of representatives from Monroe County, the municipalities within the County, the Florida Division of Emergency Management and the State Land Planning agency (DEO).

The variables being considered during this modeling effort consist of evacuation participation rates (the percentage of the population that will evacuate during storm events) and unit occupancy rates. Human behavioral surveys show that: 70% of the population evacuates in the event of a Category 3 storm; 80% of the population evacuates in the event of a Category 4 storm, and; 90% of the population evacuates in the event of a Category 5 storm. However, it was agreed upon that the assumed participation rates for the modeling are 100% for tourist units and mobile home units and 90% of site-built units in a Category 5 storm. Occupancy rates are measured for all site built structures and are based on the 2010 Census for seasonal population.

The assumptions begin considered during this modeling effort consist of the following: a 12 hour response curve; population of Monroe County (including the municipalities within the County); evacuation termination at Florida City; a Level C/Category 5 storm event; roadway capacity as established by Florida Department of Transportation (FDOT); and a 48 hour phased evacuation. The 12 hour response curve is used due to the fact that behavioral studies indicate that there is an evacuation preparation time needed before people will leave their homes. The population for Monroe County was determined by 2010 Census population figures. The evacuation termination point has been determined to be to Florida City, and therefore the traffic modeling for anywhere north of this point is assumed not to be considered in this model. This is based on Florida Administrative Code 28-18, 28-19 and 28-20. The evacuation models don't consider evacuation scenarios for storm events lower than a Category 3. Roadway capacity considers the traffic flow on US-1 related to the number of vehicles that can be accommodated during a phased evacuation. This is determined by traffic flow rate analysis prepared by FDOT. Finally, the assumption is that the evacuation procedures will be instituted through a phased evacuation, in which different populations will evacuate at different times. The transient population will evacuate first, followed by the permanent residential population. The military and mobile home residents are included in the transient population for evacuation modeling purposes. As a result of the conditions of the State mandated Hurricane Evacuation Modeling

Workshops, and the completion of amendments to the Comprehensive Plan, the City will be allocated 91 new BPAS allocations annually, beginning in 2013.

The following evacuation procedures have been adopted by the City of Key West in Resolution No.06-224:

1. Approximately 48 hours in advance of tropical storm winds a mandatory evacuation of non-residents, visitors, recreational vehicles (RVs), travel trailers, live-aboards (transient and non-transient), and military personnel from the Keys shall be initiated. State parks and campgrounds should be closed at this time or sooner and entry into the Florida Keys by non-residents should be strictly limited.
2. Approximately 36 hours in advance of tropical storm winds, a mandatory evacuation of mobile home residents, special needs residents, and hospital and nursing home patients from the Keys shall be initiated.
3. Approximately 30 hours in advance of tropical storm winds, a mandatory phased evacuation of permanent residents by evacuation zone (described below) shall be initiated. Existing evacuation zones are as follows:
 - a. Zone 1 – Key West, Stock Island and Key Haven to Boca Chica Bridge (MM 1 – 6);
 - b. Zone 2 – Boca Chica Bridge to West end of 7-Mile Bridge (MM 6 – 40);
 - c. Zone 3 – West end of 7-Mile Bridge to West end of Long Key Bridge (MM 40 – 63);
 - d. Zone 4 – West end of Long Boat Key Bridge to CR 905 and CR 905A intersection (MM 63 – 106.5);
 - e. Zone 5 905A to, and including Ocean Reef (MM 106.5 – 126.5).

Chapter 4. Land Use Analysis

The City of Key West occupies a 7.4 square mile area encompassing the island of Key West, the portion of Stock Island north of U.S. 1, Sigsbee Park (north, originally known as Dredgers Key), Fleming Key (north), and Sunset Key (west). Both Fleming Key and Sigsbee Park are part of Naval Air Station Key West. The City is the southernmost municipality in the continental United States, and is the County seat of Monroe County. Land access is provided by US 1, air access is provided by the Key West International Airport, and sea access by the Port of Key West. The City's natural boundaries restrict the expansion of its boundaries. Unincorporated Monroe County to the north is the only adjacent local government. The City has not expanded in size through annexations since the date of the adoption of the Comprehensive Plan.

The City of Key West is substantially developed, with limited opportunities for new development. In the 2005 EAR the vacant land was described as falling into four categories: large upland sites (over an acre), small upland sites (less than an acre), land owned by the military and land formerly owned by the military. The large upland sites consisted of approximately 11 identified sites, with approximately half of these sites already having obtained some degree of development approval. Two of the remaining sites include the 2800 block of Flagler Avenue, and vacant land at the Stadium Mobile Home property on Kennedy Drive. In 2005, there were approximately 200 small upland sites, primarily vacant lots in residential areas identified. Based on research that has been performed since that time, it is estimated that there are approximately 84 vacant upland sites that the City estimates may have the potential to be developed for single family residential use. The vacant property owned by the Federal government is a significant land area within the City; however, the regulation of its use is not within the jurisdiction of the City, and therefore not affected by the Comprehensive Plan. The most significant vacant area within the City is the 30 acre Truman Waterfront site acquired from the U.S. Navy. The City coordinates its land use with the military as per statutory requirements.

The Future Land Use Map represents the City's vision for its development and redevelopment during the short-, mid-, and long-range planning periods. The Future Land Use Map and designations serve as the foundation for the more detailed Land Development Regulations and special area plans adopted by the City. These regulations and plans must be consistent with and further the implementation of the Future Land Use Element and its goals, objectives and policies, as well as be consistent with the state adopted Principles for Guiding Development in Key West. The City's Future Land Use Map is detailed by permitted use, density and intensity, and acreage on Table 4-1 below. Development and redevelopment in the City has occurred in conformance with the Future Land Use Plan Map. There have been four amendments to the Future Land Use Plan Map since its adoption.

Table 4-1. Existing Future Land Uses in Key West

<u>Land Use</u>	<u>Area</u>	
	Acres	Density/intensity
Residential		
Low Density Residential Coastal	2.95	1 unit per acre
Single Family Residential	599.49	8 units per acre
Medium Density Residential Coastal	0	8 units per acre
Medium Density Residential	69.72	16 units per acre
High Density Residential	35	22 units per acre
Commercial Development		
Limited Commercial	24.75	.8 FAR, 16 units per acre
General Commercial	272.01	.8 FAR, 16 units per acre
Salt Pond Tourist Commercial	23.93	.8 FAR, 16 units per acre
Mixed-Use New Town Development		
Residential/Office	15.14	.8 FAR, 16 units per acre
Planned Redevelopment and Development	36.46	.8, 16 units per acre
Old Town Historic Preservation		
Historic Residential/Office	17.55	1.0 FAR, 16 units per acres
High Density Residential/Commercial Core	110.15	1.0 FAR, 22 units per acre

Medium Density Residential	151.81	1.0 FAR, 16 units per acre
Special Medium Density Residential	24.26	9 units per acre
Planned Redevelopment and Development	75.85	1.0 FAR, 16 – 22 units per acre
Neighborhood Commercial	98.69	1.0 FAR, 16 units per acre
Tourist Commercial	27	1.0 FAR, 16 units per acre
Public Service, including Recreation & Open Space	153.23	1.0 FAR
High Density Residential	80.35	1.0 FAR, 22 units per acre
Institutional		
Public Services, incl. Recreation, Schools, Public and Semi-Public Land	544.62	.8 FAR
Military	1,064.40	n/a
Airport	102.60	.3 FAR
Conservation		
Outstanding Waters of the State	246.99	n/a
Freshwater Wetlands	14.12	n/a
Tidal Wetlands of the State	156.48	n/a
Mangrove	104	n/a
Upland Hammock	26.65	n/a
Right-of-Way	423.01	423.01

Table 4-1 indicates acreage by Future Land Use District in the City. The City's ultimate development capacity (absent the limitations placed by the Building Permit Allocation System and Rate of Growth Ordinance) can be calculated based on the acreage and

maximum permitted residential density in each of the districts. A total of 23,438 units could be permitted in the City if all Future Land Use Districts are built out to the maximum residential density allowed in the Comprehensive Plan. There are currently 14,107 units in the City. Based on the average household size of 2.15 persons per unit, if the City were built out to the maximum residential capacity permitted in the Comprehensive Plan, a population of approximately 49,935 could be accommodated. In actuality, the City projects that its permanent population will decrease slightly in the planning period from 24,649 in 2010 to 22,991 in 2030. The Comprehensive Plan is therefore providing an adequate supply of residential lands to meet existing and current demand. Maintaining an adequate supply of non-residential lands to support the City's planning program is an important consideration. The City currently has 933.69 acres in commercial, office or mixed use categories. Based on the 2010 population of 24,649, the City is currently providing 37.82 acres of commercial lands per 1,000 permanent residents. This is indicative of the City's compact mixed-use development pattern and function as a full service community with a diversity of residential and non-residential uses. The Future Land Use Map therefore provides adequate commercial lands to meet the City's needs through the planning period.

The City currently does not distinguish between Comprehensive Plan Future Land Use categories and zoning districts. While this situation facilitates consistency between the Comprehensive Plan and Land Development Regulations, it limits the City's ability to exert more precise controls over land use within zoning districts. The City is proposing reducing the number of Future Land Use Districts to ten; however, the existing maximum permitted density and intensity of each zoning district except Historic Special Medium Density Residential will remain as they are currently with a back date of January 1, 2012. The existing maximum permitted density and intensity of the Historic Special Medium Density Residential Zoning District will remain as it is currently, with a back date of August 1, 2012.

<u>Proposed FLUM District</u>	<u>Existing FLUM Districts</u>	<u>Density/Intensity:</u> <u>Total Combined</u> <u>Acreage and Total</u> <u>Potential Units</u>
Low Density Residential	Low Density Residential Coastal; Single Family	Maximum 8 units per acre 602.44 acres (4,820 units)
Medium Density	Medium Density	Maximum 16 units

Residential	Residential Coastal; Medium Density Residential; Planned Redevelopment and Development	per acre, .8 FAR 106.18 acres (1,699 units)
High Density Residential	High Density Residential; Residential/Office	Maximum 35 units per acre, .8 FAR 50.14 acres (1,755 units)
Historic Commercial	Historic Residential/Office; Historic Residential Commercial Core; Historic Neighborhood Commercial; Historic Commercial Tourist	22 units per acre, 1.0 FAR 263.65 acres (5,800 units)
Commercial	Salt Pond Tourist Commercial; General Commercial; Limited Commercial	16 units per acre, .8 FAR 320.69 acres (5,131 units)
Military	Military	1084.16 acres
Public Service	Public Service; Airport	.8 FAR 647.22 acres
Conservation	Freshwater	574.89 acres

	Wetlands; Outstanding Waters of the State; Tidal Wetlands of the State; Upland Hammock; Mangrove	
Historic Residential	Historic High Density Residential; Historic Medium Density Residential; Historic Planned Redevelopment and Development; Historic Special Medium Density Residential	22 units, 1.0 FAR 321.25 acres (876 units)
Historic Public & Semi-Public	Historic Public Services	1.0 FAR 153.23 acres

If regulatory measures were not in place that limit density and intensity, the proposed Future Land Use amendment could allow a potential maximum density of 25,204 units, a potential increase of 1,783 units. Based on the average household size of 2.15 persons per unit, the proposed Future Land Use amendments could accommodate a population of approximately 54,189. The maximum potential commercial, office or mixed use land development would be 1,038.41 acres, an increase of 104.72 acres. It should be emphasized that factors such as the Building Permit Allocations System, the existing density of each zoning district, dimensional requirements in the land development regulations, and site constraints will ultimately limit development capacity far below the maximum densities and intensities potentially allowed by the proposed Future Land Use Map and in the Comprehensive Plan.

The City of Key West has a number of unique characteristics that require special consideration and focus in the Comprehensive Plan. A total of 1,064.40 acres, approximately 24 percent of the incorporated area, are in military use at the Key West Naval Air Station and other facilities. The City coordinates its land use and planning efforts with the military in accordance with Florida Statutes.

In June of 2011, the Florida Legislature approved HB 7207, which included statutory requirements for local governments to address compatibility of development with military installations in the Future Land Use element of the Comprehensive Plan, as well as to address the exchange of information between local governments and military installations. In order to comply with the new legislation, updates to the City of Key West Comprehensive Plan Data, Inventory, and Analysis (1993) are also necessary to provide the following information:

- an updated depiction of the current military presence within the City;
- Updated land acreages for military lands located adjacent or proximate to the corporate City limits;
- demonstration of the economic impact that the military presence has in the City of Key West;
- the 2007 Air Installations Compatible use Zones (AICUZ) Study prepared for Naval Air Station Key West; and
- the Encroachment Challenges Synopsis provided by representatives from Naval Air Station Key West.

The military presence in Key West dates back to 1822, and has become an important asset within the community, furthering national security priorities as well as bolstering the local economy. Currently, the military installations located adjacent to or proximate to incorporated Key West support operational and readiness requirements for the Department of Defense, Department of Homeland Security, National Guard, federal agencies, and allied forces. These installations are located on the following properties:

Navy Property Listing	
<u>Installation Name</u>	<u>Acres</u>
Demolition Key	24
Fleming Key Annex	322.93
Key West Cemetery Maine Memorial	0.12

Navy Branch Health Clinic	15.23
Sigsbee Park Annex	351.91
Truman Annex	232.54
Trumbo Point Annex	137.43
Total:	1084.16

According to statistics provided by the Key West Chamber of Commerce, the largest employer within Monroe County, based on a survey of public and private employers, is the U.S. Armed Services (inclusive of civilian support and contractors). According to the Key West Chamber of Commerce Monroe County Major Employers Summary, dated March of 2010, military installations employ approximately 2,882 personnel. Further, the Chamber of Commerce also estimates that family members, personnel present for temporary training, as well as retired military members recreating in the City generate approximately 2,139 more people. Based on these numbers, U.S. military facilities adjacent or proximate to the City of Key West attract approximately 5,021 people, based on a number of variables.

In 2007, the Department of the Navy prepared an AICUZ study for Naval Air Station Key West, *providing updated aircraft noise contours and accident potential zones, as well as* analyzing aircraft noise and safety. The AICUZ study was prepared as a measure for Monroe County and the City of Key West to incorporate AICUZ recommendations into their respective Comprehensive Plans in order to provide mechanisms for encroachment protection. Additionally, Naval Air Station Key West provided to the City an Encroachment Challenges Synopsis, outlining different types of encroachment sources.

The City's long and colorful history and excellent collection of historic and architecturally-significant buildings and homes make historic preservation a cornerstone of its planning program. The Key West Historic District, one of the largest historic districts in the State of Florida, is the physical manifestation of the City's 189 year existence. The 190-block district contains approximately 3,200 buildings and homes noted for their consistency of general features and diversity of details. The district is the largest and most important collection of wooden buildings in the nation, and provides the City with an ambiance and quality of life that is the foundation of the tourist industry and a key component of the economic base.

As in most older cities, redevelopment is an important challenge and consideration in the City of Key West. The City has established a Community Redevelopment Agency

to address slum and blighted conditions and spearhead redevelopment programs in the 127-acre Community Redevelopment Area. The City's Community Redevelopment Area is comprised of two subareas: Bahama Village and the Caroline Street corridor. Bahama Village, located west of Duval Street, is primarily residential with interspersed neighborhood commercial uses. The area also contains some of the City's most important civic structures, including churches and community gathering places. The Caroline Street subarea is located along Key West Bight, the historic seaport district, and is characterized by water-dependent and water-related commercial uses, lower intensity commercial uses, and transient and residential uses. Both areas demonstrate localized blighted conditions and deteriorated infrastructure, as well as vibrant commercial and residential areas and redevelopment successes.

Chapter 5. Level of Service Analysis

5.1 Sanitary Sewer

Level of Service Standard (Adopted 20 years ago – since that time LOS have evolved, may be best to adopt a more reasonable standard)

Residential Uses: 100 gallons per capita per day for permanent residents and 90 gallons per capita per day for seasonal residents

Non-Residential Uses: 660 gallons per acre per day

Analysis

Permanent population – 24,649 – 2,464,900 gallons per day

Seasonal population - 4,160 – 374,400 gallons per day

Non-residential uses – 7,806,431 s.f. building area, 179.21 acres – 118,278 gallons per day

Total daily capacity required – 2,957,578 gallons per day

Actual daily use - 4.5 million gallons per day

The City contracts operation of the Richard A. Heyman Environmental Pollution Control Facility, its wastewater treatment plant (Plant), and the associated collection system to Operations Management International, Inc. The Plant currently has the capacity to treat 10 million gallons per day, exceeding the capacity required to achieve the Level of Service Standard by approximately seven million gallons per day. Actual daily flow is 4.5 million gallons per day, a reduction from eight (8) million gallons per day due to \$67 million in capital improvements in the past short term planning period, including \$56 million for collection system rehabilitation.

As documented above, the City is meeting its Level of Service Standard for Wastewater. The City projects a slight permanent population decrease during short and long range planning periods, so the current capacity should remain adequate. Ongoing capital improvements, and continuing conservation efforts, will continue to maintain and improve service delivery.

5.2 Potable Water

Existing Level of Service Standard

Residential Uses: 93 gallons per capita per day

Non-Residential Uses: 650 gallons per acre per day

Analysis

Residential – 24,649 residents - 2,292,357 gallons per day

Non-residential uses – 7,806,431 s.f. building area, 179.21 acres – 116,487 gallons per day

Total capacity required – 2,408,844 gallons per day

Average daily use – 6,310,000 gallons per day

Potable water to the City of Key West is provided by the Florida Keys Aqueduct Authority (FKAA). The FKAA has the capacity to provide 23 million gallons per day as a result of: South Florida Water Management District's issuance of Water Use Permit #13-0005 which allocates 17 million gallons per day in the dry season and 17.79 million gallons per day which can be withdrawn from the Biscayne Aquifer, and; six million gallons per day provided by a reverse osmosis treatment plant in Florida City. As documented above, the City is meeting its Level of Service Standard for Potable Water. The City projects a slight permanent population decrease during short and long range planning periods, so the current capacity should remain adequate. Ongoing capital improvements will be necessary to maintain and improve standards and service delivery.

5.3 Solid Waste

Existing Level of Service Standard

1994-2010 Level of Service (lb/capita/day)

	<u>Total Waste Generation</u>	<u>Facility Capacity</u>
Residential	2.66	2.05
Non-Residential	6.37	4.90

Analysis

Residential – 24,649 permanent residents - 65,566 lbs per day

Non-residential – estimate 34,269 non-permanent residents – 218,294 lbs per day

Total capacity required – 283,860 lbs per day

Average daily use – 295,128 lbs per day

The City contracts with Waste Management of Florida, Inc. to collect, transfer and dispose of solid waste and residential recyclables. Commercial recyclables and other non-franchised collection services such as construction and demolition debris and yard waste are available on the open market to all licensed haulers. The City owns and operates a solid waste transfer station on Rockland Key that received 45,402.10 tons of solid waste for disposal and 3,607 tons of recyclables in 2009/10. Waste Management disposes of the solid waste collected in Monroe County, including the City of Key West, at its Central Sanitary Landfill in Broward County. In 2009 Waste Management Inc. reported a reserve capacity of 17 years at this facility. There is therefore an estimated reserve capacity of 14 years as of the date of this report.

As documented above, the City is meeting its Level of Service Standard for solid waste. The City projects a slight population decrease during short and long range planning periods, and the current capacity should remain adequate. Ongoing capital improvements will be necessary to maintain and improve standards and service delivery.

5.4 Stormwater Drainage

Existing Level of Service Standard

The Drainage level of service standard below is applicable to all types of development. Where two or more standards impact a specific development, the most restrictive standard applies:

Post development runoff shall not exceed the pre-development runoff rate for a 25-year storm event, up to and including an event with a 24 hour duration.

Stormwater treatment and disposal facilities shall be designed to meet the design and performance standards established in Chapter 17-25, Section 25.025, FAC, with treatment of the runoff from the first one inch of rainfall on-site to meet the water quality standards required by Chapter 17-302, Section 17-302.500, FAC. Stormwater facilities which directly discharge into "Outstanding Florida Waters" (OFW) shall provide an additional treatment pursuant to Section 17-25.025 (9), FAC.

Stormwater facilities must be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, FAC."

Analysis

The City is meeting its Level of Service standards for Stormwater Drainage. Under the Concurrency Management System, new developments are required to make or provide for improvements necessary to maintain or exceed these standards. This also implements the requirement in the Principles for Guiding Development 28-36.003(1)(a)3 that "Development shall not be approved which is inconsistent with or exceeds the services specified in the (Capital Improvement) Plan."

The City's Stormwater Utility (Utility) is responsible for the planning, operation, construction and maintenance of the City's stormwater drainage systems. The missions of the Utility are: reducing flooding and standing water; and reducing the pollutant load discharge into Outstanding Florida Waters. The existing stormwater management policy and practice implements and is consistent with the Principles for Guiding Development Development objective, Rule 28-36.003(1)(c) "to minimize the adverse impacts of development of the quality of water in and around the City of Key West and throughout the Florida Keys." Additionally, it is consistent and implements objective Rule 28-36.003(1)(b) "Protection of Tidal mangroves and associated shoreline and marine resources and wildlife."

The Utility operates under a Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems. This Permit contains a plan indicating how the City will comply with the National Pollutant Discharge Elimination System. The City has taken action to implement the plan, and will continue to implement projects, programs and improvements to provide stormwater drainage and reduce pollutant discharge.

5.6 Transportation

Existing Level of Service Standard

The City's Level Of Service (LOS) Standard for roadways is calculated using a speed based methodology. The following LOS measurement standards represent roadway operating conditions, and the driver's perception of these conditions:

- LOS A - free flow traffic operations at average travel speeds;
- LOS B - stable flow with other users in traffic stream;
- LOS C – uncongested with other users causing significant interactions;
- LOS D – congested stable flow with major delays;
- LOS E – very congested with traffic at or near capacity, and;
- LOS F – extremely congested with breakdown flows.

The City's adopted Level of Service Standard for roadways is documented on Table 5-1 below:

<u>Roadway Facilities</u>	<u>Segment</u>	<u>Minimum LOS Standard Peak Hour</u>
State Urban Principal Arterials		C (1)
U.S. 1	N. Roosevelt Blvd.	C (1)
	Truman Ave	Physically Constrained (1)
	Whitehead St.	Physically Constrained (1)
County Urban Minor Arterials		D
County Urban Collectors		D
City Urban Collectors		D

(1) Due to physical constraints that would make U.S. 1 improvements cost prohibitive, the segments from Eisenhower Drive to Whitehead Street and from Truman Avenue to Fleming Street, are designated as "constrained." These segments have an existing operating condition below the LOS C standard. Constrained facilities level of service shall be C plus five (5) percent.

Analysis

A. Functional Classifications

State Maintained Roads

U.S. 1 and South Roosevelt Boulevard/S.R.A1A are the only state roads in the City. U.S. 1 originates in Key West on Whitehead Street at the corner of Fleming Street. S.R. A1A begins at the intersection of Bertha Street and Roosevelt Boulevard, extending eastward past the Key West Airport before terminating at the intersection with U.S. 1 at the east end of the island. The functional classification for U.S. 1 and S.R. A1A is Urban Principal Arterial.

County Maintained Roads

The Monroe County Engineering Department oversees the design and construction of Monroe County's roads, public rights of way, bridges, sidewalks, and bike paths. The following are the County maintained roads within Key West:

Duval Street -	Truman Avenue to Eaton Street
Flagler Avenue -	White Street to S. Roosevelt Boulevard
Whitehead Street -	Fleming Street to Eaton Street
Eaton Street -	Whitehead Street to Palm Avenue
First Street -	Flagler Avenue to N. Roosevelt Boulevard
Bertha Street -	Flagler Avenue to S. Roosevelt Boulevard

The functional classification for all County roads except Fifth Street is County Minor Arterial. Fifth Street is classified as a County Urban Collector.

City Maintained Roads

The City of Key West maintains the remainder of the roadways which fall into one of two functional classifications, City Urban Collector or Local Roads.

B. Existing Conditions

The City's 2011 Carrying Capacity Study for Transportation¹³ measured roadways levels of service based on average speed thresholds documented in the 2000 Highway Capacity Manual (HCM)¹⁴. Table 5-2 identifies the existing Levels of Service for the City's roadways.

<u>Road</u>	<u>Classification</u>	<u>LOS Required</u>	<u>Existing LOS(1)</u>
Fleming St.	Local	D	D
Southard St.	Local	D	D
Duval St.	Minor Arterial	D	F
Whitehead St.	Principal Arterial	D	D
Simonton St.	Collector	D	D
South St.	Local	D	C
United St.	Collector	D	C
White St.	Collector	D	C
Palm Ave.	Minor Arterial	D	E
Eaton St.	Minor Arterial	D	D
Flagler Ave.	Collector	D	C
Truman Ave.	Principal Arterial	C	F
US-1	Principal Arterial	C+5% (5% more vehicles than the maximum number of vehicles that would constitute a LOS of C)	E

(1) Highest measurement – segments may be operating at better levels during certain times.

¹³ City of Key West Carrying Capacity Traffic Study, Calvin Giordano & Associates, December 2011

¹⁴ Highway Capacity Manual Fourth Edition, National Research Council, Transportation Research Board, 2000

As can be seen on Table 5-2, a number of the City's roads are not meeting the Level of Service standard. These roadways and failing conditions are listed below¹⁵:

- Duval Street is operating at LOS E and LOS F during the mid-day peak hour for the northbound and southbound directions, respectively. Duval Street is also failing in both directions during the PM peak hour.
- Palm Avenue (segment between Bertha Street and N. Roosevelt) is operating at LOS E during the PM peak hour in the southbound direction.
- Truman Avenue is operating at LOS D during the mid-day peak hour in the westbound direction. Truman Avenue is also operating at LOS D and LOS F during the PM peak hour for the eastbound and westbound directions, respectively.
- US-1/N. Roosevelt Boulevard is operating at LOS D during the AM peak hour in the westbound direction and during the PM peak hour in both directions.
- US-1/ N. Roosevelt Boulevard is also operating at LOS E in the westbound direction during the mid-day peak hour.

Due to the built-out nature of the City, it is not feasible to recommend adding lanes to relieve congested roadways. Furthermore the island is a compact, relatively dense community with flat topography, where most trips consist of short distances and parking is expensive and scarce. This scenario lends itself to encouraging many modes of transportation that are an alternative to a car. Many people are already using bikes, scooters, electric cars, city transit, taxis and private shuttles in addition to walking.

The 2005 EAR states that significant progress has been made to accommodate bicycles, city transit, taxi stands, and instituting a traffic impact fee to new development. The existing plan contains policy 2-1.1.3 which recommends designating of the Historic District as a Transportation Concurrence Management Area, which would further promote public transit and other non-automobile modes. In order to demonstrate its commitment to multi-modal transportation accessibility, the City is adopting Level of Service standards for bicycles and pedestrians. The City's standards are based on those outlined in the 1994 article "Bicycle and Pedestrian Levels of Service Performance Measures and Standards for Congestion Management Systems" by Linda B. Dixon.

In addition to approximately 80 miles of roadways, the City of Key West's transportation system is comprised of many other transportation facilities, systems and modes. The City's Department of Transportation provides transit services throughout the lower Keys. The City's transit system consists of six routes and a fleet of 17 accessible 24- or 32-passenger buses. Traffic counts at intersections conducted for the 2011 Traffic

¹⁵ City of Key West Carrying Capacity Traffic Study, Calvin Giordano & Associates, December 2011

Carrying Capacity Study found that 8% of the total vehicles counted were bicycles. The City has a number of bicycle lanes or shared use paths. Other popular transportation modes include pedi-cabs, scooters, electric cars, and trolleys. The City is also well-suited for pedestrianism, with approximately 40 miles of sidewalks on most major streets.

It is important to estimate the total number of vehicles in the City for a number of reasons, including evacuation planning and identifying parking needs. The City's 2010 Transit Development Plan¹⁶ states that 18.9 percent of the City's households do not have a car, 47 percent have one car, 28.9 percent have two cars, and 5.1 percent have three or more cars. The 2010 Census indicates that there are 8,925 households in the City, and there are 1.28 automobiles per household. It is therefore estimated that City residents have approximately 11,424 automobiles.

In 2010 the City conducted a transient survey in order to collect key data, including transportation data, regarding visitors. This survey indicated that 66 percent of motel guests, 60 percent of guesthouse/bed and breakfast guests, and 81 percent of residential short-term guests arrive by automobile. In addition the Tourist Development Council estimates that there are 2,634 day trippers (excluding cruise ship passengers) on an average day. Based on these percentages, it is estimated that there will be approximately 6,699 visitor automobiles in the City on an average day. There are 1,935 seasonal residential units in the City. If the residential short-term automobile rate is applied to these units, it is estimated that seasonal residents could have approximately 1,567 automobiles in the City at any given time. In addition, it is estimated that 7,994 persons drive to the City to work or shop each day. It is therefore estimated that there are approximately 29,619 automobiles in Key West on an average day.

C. Future Conditions

All future development within the City is limited by the BPAS ordinance which allocates units for new development as part of tying new growth to hurricane evacuation times. Based on the maximum potential unit of increase of 910 new units in the ten year planning horizon (*1.28 cars per household), the projected traffic impact is 1,165 new automobiles.

The City projects a slight permanent population decrease and a slight functional population increase during the short and long range planning periods, so the current roadway capacity should remain adequate, with the exception of the four roadway segments identified above. Due to the built-out nature of the City, it is not feasible to recommend adding lanes to relieve congested roadways. Multimodal improvements and other strategies are a more viable solution.

¹⁶ Key West, Florida Transit Development Plan, 2009-2010, City of Key West Transportation Department

5.7 Parks and Recreation

Level of Service Standard

The City has adopted an acreage standard and a facilities standard for recreation and open space. These standards are as follows:

TABLE 5-3

LEVEL OF SERVICE STANDARDS FOR RECREATION SITES

Park Facility	Location	1,000 Population	Population Served	Desirable Park Area (Ac)	Facilities
Neighborhood Park	Neighborhood areas, adjacent to elementary school when feasible	2.5 acres	up to 5,000	Minimum of 2.5 acres	Plan apparatus areas, recreation building, sports fields, paved multi-purpose courts, senior citizens area, picnic area, open or free play area, and landscaping.
Community Park	Serves residents of a group of neighborhoods, adjacent to Jr. or Sr. High school when feasible	2.5 acres	up to 25,000	Minimum of 10 acres	All the facilities found in a neighborhood park plus facilities to service the entire family. Pools, softball/baseball fields, tennis courts, play areas, picnic area, passive and active recreation areas, multi-purpose courts, and recreation building.

TABLE 5-4
RECREATION STANDARDS FOR FACILITIES

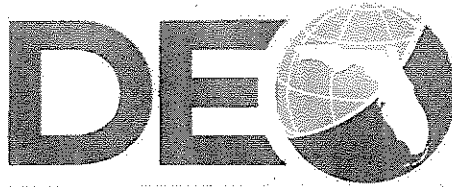
FACILITIES	STANDARD
Tennis Courts	1 Court per 7,500 pop.
Racquetball/Handball Courts	1 Court per 10,000 pop.
Basketball Courts	1 Court per 5,000 pop.
Softball/Baseball Diamond	1 Diamond per 4,500 pop.
Swimming Pool	1 Pool per 45,000 pop.
Golf Course	1 18-hole per 50,000 pop.
Boat Ramps	1 Ramp per 9,500 pop.
Football/Soccer Fields	1 Field per 11,000 pop.
Bocce Courts	1 Court per 9,500 pop.

Analysis

The City of Key West's 2010 permanent residential population is 24,648. In order to meet the acreage Level of Service Standard, 123.24 acres of parks need to be provided. The City of Key West presently has approximately 282 acres in parks and 158 acres at the municipal golf course, totaling 440 acres of recreational lands. The City is therefore meeting its acreage Level of Service Standard for recreation and open space.

In order to meet the facilities standard, three football/soccer fields, one 18-hole golf course, four tennis courts, three racquetball courts, five basketball courts, six softball/baseball fields, one pool, three boat ramps, and three bocce courts should be provided. The City is meeting or exceeding these standards, with the exception of two football fields and three racquetball courts. Some City residents do have access to non-city owned but publicly accessible facilities, including football fields at school facilities.

Rick Scott
GOVERNOR



Hunting F. Deutsch
EXECUTIVE DIRECTOR

**FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY**

July 25, 2012

Donald Leland Craig, AICP
Planning Director, City of Key West
P.O. Box 1409
Key West, FL 33041



Re: Peary Court – Affordable Housing

Dear Mr. Craig:

We have received and carefully reviewed your letter of June 18, 2012, in response to correspondence we received from Nancy Linnan on behalf of Balfour Beatty, Incorporated. Rather than continuing the debate on the applicability of the City's affordable housing comprehensive plan provisions to Peary Court once it passes out of military ownership, the Department of Economic Opportunity would like to help facilitate a resolution of this matter.

It is our understanding that the prospective buyer of the Peary Court property is willing to donate sufficient acreage within Peary Court to develop the 48 affordable housing units the City is seeking. We further understand that the Housing Authority or other private/public affordable housing developers have expressed an interest in constructing affordable housing in conjunction with Peary Court.

The Department would like to work with the City of Key West on a public-private partnership to ensure that 48 affordable housing units are built at Peary Court through an amendment to the comprehensive plan to provide the allocations. We believe this approach, if successful, will achieve the City's goal of providing affordable housing to its residents, ensure that the purchase price offered to the U.S. Navy is not diminished, allow the prospective buyer of Peary Court to move forward with its development plans, and avoid costly and possibly protracted litigation. The Department's Area of Critical State Concern Administrator, Rebecca Jetton, will contact you shortly to determine whether the City is interested in moving forward with this approach.

Very truly yours,

J. Thomas Beck, AICP, Director
Division of Community Development

Cc: David Horan

Rick Scott
GOVERNOR



FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY

Hunting F. Deutsch
EXECUTIVE DIRECTOR

August 3, 2012

The Honorable Craig Cates
Mayor, City of Key West
3126 Flagler Avenue
Key West FL 33040

Dear Mayor Cates:

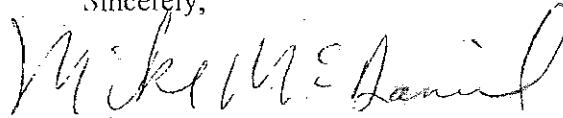
The State Land Planning Agency (the Agency) has completed its review of the proposed comprehensive plan amendment for the City of Key West (Amendment No. 12-2), which was received and determined complete on June 14, 2012. Copies of the proposed amendment have been distributed to the appropriate reviewing agencies for their review, and their comments are enclosed. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified two objections and have included recommendations regarding measures that can be taken to address the objections. We are also providing a technical assistance comment consistent with Section 163.3168(3), F.S. The Agency's technical assistance comment will not form the basis of a challenge. They are offered as suggestions which can strengthen the City's comprehensive plan in order to foster a vibrant, healthy community or are technical in nature and designed to ensure compliance with the provisions of Chapter 163, F.S.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(4)(e)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.

My staff and I are available to assist the City in addressing the issues identified in our report. If you have any questions, please contact Rebecca Jetton, at (850) 717-8494, or by email at Rebecca.jetton@deo.myflorida.com.

Sincerely,



Mike McDaniel, Chief
Bureau of Community Planning

MM/bep

Enclosures: Review Agency Comments
Adoption Procedures

cc: Mr. Don Craig, Planning Director, City of Key West
Mr. James F. Murley, Executive Director, South Florida Regional Planning Council



SUBMITTAL OF
ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

May 2011

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, in color format, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency to the ORC report from the State Land Planning Agency.

**OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT
FOR CITY of KEY WEST
PROPOSED COMPREHENSIVE PLAN AMENDMENT
(DEO NO. 12-2ACSC)**

I Consistency with Chapter 163, Part II and Chapter 380, Part I

The Department has the following objection and comments to the proposed comprehensive plan amendment:

Objection 1 - The proposed text amendment provides that all new development and redevelopment within the Peary Court Housing Complex recognize that a portion of the existing housing on the property contributes to the affordable stock of the community due to its availability to non-military citizens and its rental rate structure, and to maintain such affordability for a reasonable portion of those units. The Department raises an objection because the language "reasonable portion" does not provide for a meaningful and predictable standard.

Authority 163.3177(1)

Recommendation: Policy 3-1.1.3 of the Comprehensive Plan provides at least thirty percent (30%) of all residential units constructed each year shall be affordable and Policy 1-3.12.2 requires that the City permit allocation system set aside thirty percent (30%) of all new permanent residential units as affordable housing. To achieve these objectives while at the same time recognizing the unique circumstances associated with converting former Navy housing to permanent residential dwellings, the Department supports the potential public/private partnership which has been discussed that includes the provision of land from the purchaser and construction of 48 affordable units by a public or private entity. To help make this work, the Department is willing to request the Administration Commission to provide sufficient ROGO allocations for affordable housing.

Objection 2 – A small portion of the property is within the coastal high hazard area (CHHA) as defined in the most recent Storm Tide Atlas. The City's plan does not reflect the most recent definition or CHHA map.

Authority 163.3177(1)(f), 163.3177(6)(a)10., 163.3178(8)(c),

Recommendation: The City should amend its future land use map and coastal management element to include the new definition of coastal high-hazard area and to depict the coastal high-hazard area on the future land use map.

Technical Assistance Comment 1: The new designation HSMDR has set a density of 8 units per acre and an FAR of 1.0. However, the new designation does not address open space or impervious surface requirements. The City currently suffers a financial burden in attempting to address retroactive stormwater management. As part of an overall plan

to address stormwater management the City should consider including open space and impervious surface ratio standards to the comprehensive plan's FLUM designations.

Technical Assistance Comment 2: The density of 8 units per acre provided for in the new FLUM designation of HSMDR would allow 194 units on 24.26 acres. This is not sufficient for the existing 160 units and 48 affordable units. If the additional units will be constructed on this site, the City should consider increasing the density to at least 9 units per acre in order to allow for the additional affordable housing units.

FLORIDA DEPARTMENT OF EDUCATION



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June 29, 2012

Mr. D. Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Dear Mr. Eubanks:

Re: Key West 12-2ACSC

Thank you for the opportunity to review the Key West 12-2 amendment package. According to the department's responsibilities under Section 163.3184(3), Florida Statutes, I reviewed the amendment considering provisions of Chapter 163, Part II, F.S., and to determine whether the proposal, if adopted, would have potential to create adverse impacts on public school facilities.

The proposal would amend the future land use map and element to integrate the former military Peary Court housing complex into the city's plan. The amendments would provide for a small increase in residential density above the currently recognized 160 units which does not appear to create adverse effects on public school facilities. Therefore, I offer no comment.

Again, thank you for the opportunity to review and comment.

Sincerely,

Tracy D. Suber
Educational Consultant-Growth Management Liaison

TDS/

cc: Mr. Jeff Barrow, Monroe County School District
Ms. Rebecca Jetton, DEO

THOMAS H. INSERRA
DIRECTOR, OFFICE OF EDUCATIONAL FACILITIES



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

June 29, 2012

Mr. Ray Eubanks
Administrator, Plan Review & Processing
Department of Economic Opportunity
Division of Community Planning and Development
107 East Madison Street
Tallahassee, Florida 32399-4120

Dear Mr. Eubanks:

**Subject: City of Key West, DEO Amendment #12-2ACSC
Comments on Proposed Comprehensive Plan Amendment**

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by the City of Key West (City). The amendment package consists of proposed amendments to the text of the Future Land Use Element and the Future Land Use Map series of the Comprehensive Plan for property known as the Peary Court Housing Complex. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the City and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the City's future water supply needs and to protect the region's water resources. Once the amendment is adopted please forward a copy to the District. For assistance or additional information, please contact Terry Manning, Policy and Planning Analyst, at (561) 682-6779 or tmanning@sfwmd.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Rod A. Braun".

Rod A. Braun
Director
Office of Intergovernmental Programs

RB/tm

c: Donald Leland Craig, Key West
Christine Hurley, Monroe County
Rebecca Jetton, DEO
Rachel Kalin, SFRPC



Florida Department of Transportation

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, Florida 33172-5800

ANANTH PRASAD, P.E.
SECRETARY

July 2, 2012

Ray Eubanks, Plan Processing Administrator
Department of Economic Opportunity
Community Planning and Development
107 East Madison Street
Caldwell Building, MSC 160
Tallahassee, Florida 32399

Subject: Comments for the Proposed Comprehensive Plan Amendment, Key West #12-2ACSC

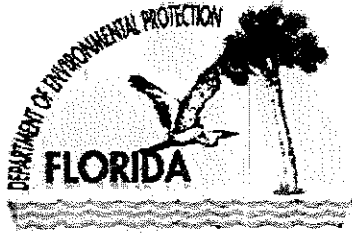
Dear Mr. Eubanks:

The Florida Department of Transportation, District Six, completed a review of the *Proposed Comprehensive Plan Amendment, Key West #12-2ACSC*. The District has reviewed the amendment package per *Chapter 163 Florida Statutes* and has found no adverse impacts to transportation resources and facilities of state importance. Please contact Ken Jeffries at 305-470-5445 if you have any questions concerning our response.

Sincerely,

Phil Steinmiller
District Planning Manager

Cc: Harold Desdunes, PE, Florida Department of Transportation, District 6
Aileen Boucle, AICP, Florida Department of Transportation, District 6
Donald Leland Craig, AICP, City of Key West
Mayte Santamaria, Monroe County



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

June 21, 2012

Mr. Ray Eubanks
Plan Review Administrator
Department of Economic Opportunity
Bureau of Community Planning
Caldwell Building
107 East Madison Street MSC 160
Tallahassee, FL 32399-6545

Re: Key West 12-2ACSC Proposed; Comprehensive Plan Amendment Review

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment proposal under the procedures of Chapter 163, *Florida Statutes*. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; water and wastewater treatment; and, where applicable, the Everglades ecosystem.

Based on our review of the proposed amendment, the Department has found no provision that requires comment under laws that form the basis of the Department's jurisdiction. Thank you for the opportunity to comment on the proposed amendment package. Should you have any questions or require further assistance, please call me at (850) 245-2169.

Sincerely,

Chris Stahl
Office of Intergovernmental Programs
/cjs



MEMORANDUM

AGENDA ITEM #III.E.1

DATE: JULY 9, 2012

TO: COUNCILMEMBERS

FROM: STAFF

SUBJECT: KEY WEST PROPOSED COMPREHENSIVE PLAN AMENDMENT, SLPA #12-2ACSC

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to 1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan for South Florida (SRPP)* and 2) extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region.

A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

Amendment Summary

The City of Key West proposed amendment #12-2ACSC contains text and map amendments related to the integration of a Military site, Peary Court Housing Complex, into the City Comprehensive Plan.

The City of Key West Commission approved the proposed amendments for transmittal by a vote of 6-1 on May 29, 2012.

Staff analysis confirms the proposed amendments are generally inconsistent with the Goals and Policies of the SRPP. Please see the attached amendment review form for details.

Recommendation

Find City of Key West proposed amendment package #12-2ACSC generally inconsistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Approve this staff report for transmittal to the City and the State Land Planning Agency.

Attachment 1

FLORIDA REGIONAL COUNCILS ASSOCIATION
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; July 9, 2012.

Local Government Amendment Number: Key West proposed #12-2ACSC.

Date Comments due to the State Land Planning Agency: July 14, 2012.

Date Mailed to Local Government and State Land Planning Agency: Prior to July 14, 2012.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

The proposed amendment package consists of Future Land Use Element text and Future Land Use Map (FLUM) amendments related to the property known as the Peary Court Housing Complex (approximately 26.24 acres), generally located at the northwest corner of Eisenhower Drive and Angela Street, south of Palm Avenue and east of White Street. The current future land use designation is Military and the property is owned by the United States Navy. Comprehensive Plan Policy 1-2.6.2 recognizes federal preemption of local land use controls; however, the City has been notified that the Navy intends to sell the property to a private entity. The intent of this amendment is to provide for the integration of the property into the City's Comprehensive Plan and land development regulations.

Construction on the property began in 1993 to fulfill the needs for military housing; however, the tenant type was broadened to include public sector civilians, representing approximately 25 percent of the 157 units today. Currently, 160 residential units are allowed on the property.

New Policy 1-1.6.4, would restrict new development and redevelopment within the Peary Court Housing Complex to preserve the existing housing stock of 160 units for permanent multifamily residential; maintain land use compatibility with adjacent historic and military installations; and direct the City to "recognize that a portion of the housing stock on the property contributes to the community's affordable housing stock due to its availability to non-military citizens and its rental structure, and to maintain such affordability for a reasonable portion of those units".

New Policy 1-2.3.11 would create a new land use designation to be known as the Historic Special Medium Density Residential (HSM DR), "to accommodate the existing multifamily military housing complex at Peary Court at the time when the land and improvements are transferred to civilian ownership and City jurisdiction [...] The designation is not intended to accommodate commercial or transient residential land use activities. The allowable residential density shall be a maximum of eight (8) units per acre. The maximum intensity of development shall not exceed a floor area ratio of 1.0 for all uses".

Upon adoption, the land development regulations will be amended to implement both Policies and allow for the future redevelopment of the property.

The FLUM for the Peary Court Housing Complex land use designation would change from Military to Historic Special Medium Density Residential (HSM DR).

Objection

Council staff recognizes the intent of the proposed amendment is to integrate a Military site into its Comprehensive Plan; however increased density and intensity is being proposed without justification.

The proposed density of eight units per acre would allow 209 residential dwelling units, or 49 additional units. The supporting data and analysis for infrastructure has not incorporated the maximum allowable building potential for the property.

In addition, the proposed language to maintain affordability for "a reasonable portion" of residential units is unclear. The current and maximum allowable residential dwelling units should be subject to the City's Affordable Housing Policy 3-1.3.3, which requires thirty percent of all new permanent residential units be affordable. The State Land Planning Agency has already communicated that when the transfer from military to private-ownership occurs, the existing units on the property will be considered "new" to the City.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.

The Florida Keys has limited potential for additional development and increases in density should only be granted in limited circumstances in order to achieve a specific purpose related to other Goals or Policies of the City Plan. The proposed amendment could potentially compromise the effort to avoid overdevelopment in the Florida Keys in order to protect Natural Resources of Regional Significance.

Applicable SRPP Goals and Policies:

GOAL 14 **Preserve, protect, and restore Natural Resources of Regional Significance.**

Policy 14.4 Direct land uses that are not consistent with the protection and maintenance of natural resource values away from Natural Resources of Regional Significance, adjacent buffer areas, and other natural resource areas.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.

Not Applicable.